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CHAPTER 1—ELECTION OF SENATORS AND REPRESENTATIVES

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§ 1. Time for election of Senators

At the regular election held in any State next preceding the expiration of the term for which any Senator was elected to represent such State in Congress, at which election a Representative to Congress is regularly by law to be chosen, a United States Senator from said State shall be elected by the people thereof for the term commencing on the 3d day of January next thereafter.

(June 4, 1914, ch. 103, § 1, 38 Stat. 384; June 5, 1934, ch. 390, § 3, 48 Stat. 879.)

Amendments

1934—Act June 5, 1934 substituted "3d day of January" for "fourth day of March".

Constitutional Provisions

The first section of Amendment XX to the Constitution provides in part: "* * * the terms of Senators and Representatives [shall end] at noon on the 3d day of January, of the years in which such terms would have ended if this article had not been ratified; and the terms of their successors shall then begin."

Cross References

Time for election of Senators, see Const. Art. I, § 4, cl. 1.

Vacancies in the Senate, see Const. Amend. XVII.

§ 1a. Election to be certified by governor

It shall be the duty of the executive of the State from which any Senator has been chosen to certify his election, under the seal of the State, to the President of the Senate of the United States.

(R.S. § 18.)

Prior Provisions

Act July 25, 1866, ch. 245, § 3, 14 Stat. 244.

Section Referred to in Other Sections

This section is referred to in section 1b of this title.

§ 1b. Countersignature of certificate of election

The certificate mentioned in section 1a of this title shall be countersigned by the secretary of state of the State.

(R.S. § 19.)

Prior Provisions

Act July 25, 1866, ch. 245, § 3, 14 Stat. 244.

§ 2. Omitted

Codification

Act Aug. 8, 1911, ch. 5, §§ 1, 2, 37 Stat. 13, 14, formerly classified to this section, fixed the composition of the House of Representatives at 435 Members, to be apportioned to the States therein enumerated. For provisions dealing with reapportionment of Representatives and manner of election, etc., see sections 2a and 2b of this title.

§ 2a. Reapportionment of Representatives; time and manner; existing decennial census figures as basis; statement by President; duty of clerk

(a) On the first day, or within one week thereafter, of the first regular session of the Eighty-second Congress and of each fifth Congress thereafter, the President shall transmit to the Congress a statement showing the whole number of persons in each State, excluding Indians not taxed, as ascertained under the seventeenth and each subsequent decennial census of the population, and the number of Representatives to which each State would be entitled under an apportionment of the then existing number of Representatives by the method known as the method of equal proportions, no State to receive less than one Member.

(b) Each State shall be entitled, in the Eighty-third Congress and in each Congress thereafter until the taking effect of a reapportionment under this section or subsequent statute, to the number of Representatives shown in the statement required by subsection (a) of this section, no State to receive less than one Member. It shall be the duty of the Clerk of the House of Representatives, within fifteen calendar days after the receipt of such statement, to send to the executive of each State a certificate of the number of Representatives to which such State is entitled under this section. In case of a vacancy in the office of Clerk, or of his absence or inability to discharge this duty, then such duty shall devolve upon the Sergeant at Arms of the House of Representatives; and in case of vacancies in the offices of both the Clerk and the Sergeant at Arms, or the absence or inability of both to act, such duty shall devolve upon the Doorkeeper of the House of Representatives.

(c) Until a State is redistricted in the manner provided by the law thereof after any apportionment, the Representatives to which such State is entitled under such apportionment shall be elected in the following manner: (1) If there is no change in the number of Representatives, they shall be elected from the districts then prescribed by the law of such State, and if any of them are elected from the State at large they shall continue to be so elected; (2) if there is an increase in the number of Representatives, such additional Representative or Representatives shall be elected from the State at large and the other Representatives from the districts then prescribed by the law of such State; (3) if there is a decrease in the number of Representatives but the number of districts in such State is equal to such decreased number of Representatives, they shall be elected from the districts then prescribed by the law of such State; (4) if there is a decrease in the number of Representatives but the number of districts in such State is less than such number of Representatives, the number of Representatives by which such number of districts is exceeded shall be elected from the State at large and the other Representatives from the districts then prescribed by the law of such State; or (5) if there is a decrease in the number of Representatives and the number of districts in such State exceeds such decreased number of Representatives, they shall be elected from the State at large.

(June 18, 1929, ch. 28, § 22, 46 Stat. 26; Apr. 25, 1940, ch. 152, §§ 1, 2, 54 Stat. 162; Nov. 15, 1941, ch. 470, § 1, 55 Stat. 761.)

AMENDMENTS

1941—Act Nov. 15, 1941, provided for reapportionment based upon the seventeenth and subsequent decennial censuses.

1940—Act Apr. 25, 1940, provided for reapportionment based upon the sixteenth decennial census.

CONSTITUTIONAL PROVISIONS

Apportionment of Representatives among the several States, see Const. Art. I, § 2, cl. 3, and Amend. XIV, § 2.

TEMPORARY INCREASE IN MEMBERSHIP

Representation of States of Alaska and Hawaii in the House of Representatives as not affecting the basis of apportionment established by this section, see section 9 of Pub. L. 85-508, July 7, 1958, 72 Stat. 339, set out as a note preceding section 21 of Title 48, Territories and Insular Possessions, and section 8 of Pub. L. 86-3, Mar. 18, 1959, 73 Stat. 4, set out as a note preceding section 491 of Title 48.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 2b and 2c of this title.

§ 2b. Number of Representatives from each State in 78th and subsequent Congresses

Each State shall be entitled, in the Seventy-eighth and in each Congress thereafter until the taking effect of a reapportionment under a subsequent statute or section 2a of this title, to the number of Representatives shown in the statement transmitted to the Congress on January 8, 1941, based upon the method known as the method of equal proportions, no State to receive less than one Member.

(Nov. 15, 1941, ch. 470, § 2(a), 55 Stat. 762.)

CERTIFICATES TO EXECUTIVES OF STATES

Section 2(b) of act Nov. 15, 1941, provided that: "If before the enactment of this Act [this section] a certificate has been sent to the executive of any State under the provisions of such section 22 (section 2a of this title), as in force before the enactment of this Act [Nov. 15, 1941], the Clerk of the House of Representatives shall, within fifteen calendar days after the date of enactment of this Act, send a new certificate to such executive stating the number of Representatives to which such State is entitled under this section."

§ 2c. Number of Congressional Districts; number of Representatives from each District

In each State entitled in the Ninety-first Congress or in any subsequent Congress thereafter to more than one Representative under an apportionment made pursuant to the provisions of section 2a(a) of this title, there shall be established by law a number of districts equal to the number of Representatives to which such State is so entitled, and Representatives shall be elected only from districts so established, no district to elect more than one Representative (except that a State which is entitled to more than one Representative and which has in all previous elections elected its Representatives at Large may elect its Representatives at Large to the Ninety-first Congress).

(Pub. L. 90-196, Dec. 14, 1967, 81 Stat. 581.)

§§ 3, 4. Omitted

CODIFICATION

Section 3, act Aug. 8, 1911, ch. 5, § 3, 37 Stat. 14, which related to election by districts, expired by its own limitation upon the enactment of the Reapportionment Act of June 18, 1929, ch. 28, § 22, 46 Stat. 21 (section 2a of this title). It was not restated in act June 18, 1929, providing for reapportionment under the Fifteenth Census, and hence it was not applicable thereto. See *Wood* v. *Brown*, 1932 (53 S. Ct. 1, 287 U.S. 1, 77 L. Ed. 131).

Section 4, act Aug. 8, 1911, ch. 5, § 4, 37 Stat. 14, which related to additional Representatives at large, expired by its own limitation upon the enactment of the Reapportionment Act of June 18, 1929, ch. 28, § 22, 46 Stat. 21 (section 2a of this title). It was not restated in act June 18, 1929, providing for reapportionment under the Fifteenth Census, and hence it was not applicable thereto. See *Wood* v. *Brown*, 1932 (53 S. Ct. 1, 287 U.S. 1, 77 L. Ed 131).

§ 5. Nominations for Representatives at large

Candidates for Representative or Representatives to be elected at large in any State shall be nominated in the same manner as candidates for governor, unless otherwise provided by the laws of such State.

(Aug. 8, 1911, ch. 5, § 5, 37 Stat. 14.)

§ 6. Reduction of representation

Should any State deny or abridge the right of any of the male inhabitants thereof, being twenty-one years of age, and citizens of the United States, to vote at any election named in the amendment to the Constitution, article 14, section 2, except for participation in the rebellion or other crime, the number of Representatives apportioned to such State shall be reduced in the proportion which the number of such male citizens shall have to the whole number of male citizens twenty-one years of age in such State.

(R.S. § 22.)

PRIOR PROVISIONS

Act Feb. 2, 1872, ch. 11, § 6, 17 Stat. 29.

§ 7. Time of election

The Tuesday next after the 1st Monday in November, in every even numbered year, is established as the day for the election, in each of the States and Territories of the United States, of Representatives and Delegates to the Congress commencing on the 3d day of January next thereafter. This section shall not apply to any State that has not yet changed its day of election, and whose constitution must be amended in order to effect a change in the day of the election of State officers in said State.

(R.S. § 25; Mar. 3, 1875, ch. 130, § 6, 18 Stat. 400; June 5, 1934, ch. 390, § 2, 48 Stat. 879.)

PRIOR PROVISIONS

Act Feb. 2, 1872, ch. 11, § 3, 17 Stat. 28.

AMENDMENTS

1934—Act June 5, 1934, substituted "3d day of January" for "fourth day of March".

CONSTITUTIONAL PROVISIONS

The first section of Amendment XX to the Constitution provides: "The terms of Senators and Representatives [shall end] at noon on the 3d day of January, of the years in which such terms would have ended if this article had not been ratified; and the terms of their successors shall then begin."

CROSS REFERENCES

Time for election of Representatives, see Const. Art. I, § 4, cl. 1.

§ 8. Vacancies

The time for holding elections in any State, District, or Territory for a Representative or Delegate to fill a vacancy, whether such vacancy is caused by a failure to elect at the time prescribed by law, or by the death, resignation, or incapacity of a person elected, may be prescribed by the laws of the several States and Territories respectively.

(R.S. § 26.)

PRIOR PROVISIONS

Act Feb. 2, 1872, ch. 11, § 4, 17 Stat. 28.

CONSTITUTIONAL PROVISIONS

Vacancies in the House of Representatives, see Const. Art. I, § 2, cl. 4.

§ 9. Voting for Representatives

All votes for Representatives in Congress must be by written or printed ballot, or voting machine the use of which has been duly authorized by the State law; and all votes received or recorded contrary to this section shall be of no effect.

(R.S. § 27; Feb. 14, 1899, ch. 154, 30 Stat. 836.)

PRIOR PROVISIONS

Acts Feb. 28, 1871, ch. 99, § 19, 16 Stat. 440, and May 30, 1872, ch. 239, 17 Stat. 192.

CHAPTER 2—ORGANIZATION OF CONGRESS

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21. Oath of Senators.
22. Oath of President of Senate.
23. Presiding officer of Senate may administer oaths.
24. Secretary of Senate or assistant secretary may administer oaths.
25. Oath of Speaker, Members, and Delegates.
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    (a) Periodic compilation; other useful materials; index digest; date of completion.
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(a) Establishment; composition.
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(c) Study of informational problems, facilities and space, and House legislative counsel requirements.
(d) Scope of study of informational problems.
(e) Annual progress reports to Speaker; contents; submission date of final report; completion date of study of House legislative counsel requirements.
(f) Meetings; quorum.
(g) Travel expenses and per diem for members and staff.
(h) Utilization of staff of Joint Committee on Congressional Operations; appointment and compensation of other necessary staff.
(i) Availability of contingent fund of House.

§ 21. Oath of Senators

The oath of office shall be administered by the President of the Senate to each Senator who shall be elected, previous to his taking his seat.

(R.S. § 28.)

PRIOR PROVISIONS

Act June 1, 1789, ch. 1, § 2, 1 Stat. 23.

§ 22. Oath of President of Senate

When a President of the Senate has not taken the oath of office, it shall be administered to him by any Member of the Senate.

(R.S. § 29.)

PRIOR PROVISIONS

Act June 1, 1789, ch. 1, § 2, 1 Stat. 23.

§ 23. Presiding officer of Senate may administer oaths

The presiding officer, for the time being, of the Senate of the United States, shall have power to administer all oaths and affirmations that are or may be required by the Constitution, or by law, to be taken by any Senator, officer of the Senate, witness, or other person, in respect to any matter within the jurisdiction of the Senate.

(Apr. 18, 1876, ch. 66, § 1, 19 Stat. 34.)

§ 24. Secretary of Senate or assistant secretary may administer oaths

The Secretary of the Senate, and the assistant secretary thereof, shall, respectively, have power to administer any oath or affirmation required by law, or by the rules or orders of the Senate, to be taken by any officer of the Senate, and to any witness produced before it.

(Apr. 18, 1876, ch. 66, § 2, 19 Stat. 34; July 9, 1971, Pub. L. 92-51, § 101, 85 Stat. 125.)

CHANGE OF NAME

The assistant secretary of the Senate deemed the successor in references to the chief clerk of the Senate in all laws, rules, resolutions, and orders, effective July 1, 1971, under provisions of Pub. L. 92-51, § 101, July 9, 1971, 85 Stat. 125.

§ 25. Oath of Speaker, Members, and Delegates

At the first session of Congress after every general election of Representatives, the oath of office shall be administered by any Member of the House of Representatives to the Speaker; and by the Speaker to all the Members and Delegates present, and to the Clerk, previous to entering on any other business; and to the Members and Delegates who afterward appear, previous to their taking their seats.

The Clerk of the House of Representatives of the Eightieth and each succeeding Congress shall cause the oath of office to be printed, furnishing two copies to each Member and Delegate who has taken the oath of office in accordance with law, which shall be subscribed in person by the Member or Delegate, who shall thereupon deliver them to the Clerk, one to be filed in the records of the House of Representatives, and the other to be recorded in the Journal of the House and in the Congressional Record; and such signed copies, or certified copies thereof, or of either of such records thereof, shall be admissible in evidence in any court of the United States, and shall be held conclusive proof of the fact that the signer duly took the oath of office in accordance with law.

(R.S. § 30; Feb. 18, 1948, ch. 53, 62 Stat. 20.)

PRIOR PROVISIONS

Act June 1, 1789, ch. 1, § 2, 1 Stat. 23.

CODIFICATION

The last paragraph of this section, which permitted Members and Delegates of the House of the Eightieth Congress to subscribe and deliver two signed copies of the printed oath of office at any time before the expiration of the Eightieth Congress, is omitted as executed.

AMENDMENTS

1948—Act Feb. 18, 1948, added last two paragraphs to provide a way by which any Member of the House of Representatives can establish by record evidence the fact that he took the oath of office and so became a member.

DELEGATE FROM DISTRICT OF COLUMBIA; EFFECTIVE DATE

Pub. L. 91-405, title II, § 204(a), Sept. 22, 1970, 84 Stat. 852, provided that:

"(a) The provisions of law which appear in—

"(1) section 25 [this section] (relating to oath of office),

"(2) section 31 (relating to compensation),

"(3) section 34 (relating to payment of compensation),

"(4) section 35 (relating to payment of compensation),

"(5) section 37 (relating to payment of compensation),

"(6) section 38a (relating to compensation).

"(7) section 39 (relating to deductions for absence),

"(8) section 40 (relating to deductions for withdrawal),

"(9) section 40a (relating to deductions for delinquent indebtedness),

"(10) section 41 (relating to prohibition on allowance for newspapers),

"(11) section 42c (relating to postage allowance),

"(12) section 46b (relating to stationery allowance),

"(13) section 46b-1 (relating to stationery allowance),

"(14) section 46b-2 (relating to stationery allowance),

"(15) section 46g (relating to telephone, telegraph, and radio-telegraph allowance),

"(16) section 47 (relating to payment of compensation),

"(17) section 48 (relating to payment of compensation),

"(18) section 49 (relating to payment of compensation),

"(19) section 50 (relating to payment of compensation),

"(20) section 54 (relating to provision of United States Code Annotated or Federal Code Annotated),

"(21) section 60g-1 (relating to clerk hire) [Repealed],

"(22) section 60g-2(a) (relating to interns),

"(23) section 80 (relating to payment of compensation),

"(24) section 81 (relating to payment of compensation) [Repealed],

"(25) section 82 (relating to payment of compensation) [Repealed],

"(26) section 92 (relating to clerk hire),

"(27) section 92b (relating to pay of clerical assistants),

"(28) section 112e (relating to electrical and mechanical office equipment),

"(29) section 122 (relating to office space in the District of Columbia), and

"(30) section 123b (relating to use of House Recording Studio),

of title 2 of the United States Code [this title] shall apply with respect to the Delegate to the House of Representatives from the District of Columbia in the same manner and to the same extent as they apply with respect to a Representative. The Federal Corrupt Practices Act [former chapter 8 of this title; see, also, section 602 of Title 18] and the Federal Contested Election Act [chapter 12 of this title] shall apply with respect to the Delegate to the House of Representatives from the District of Columbia in the same manner and to the same extent as they apply with respect to a Representative."

Section 206(b) of Pub. L. 91-405 provided in part that section 204(a) of Pub. L. 91-405 and amendments of section 2106 of Title 5, sections 4342(a)(5), 6954(a)(5), and 9342(a)(5) of Title 10, sections 201(a), 203(a)(1), (b), 204, 591, 594, and 595 of Title 18, and section 1973i(c) of Title 42 shall take effect on Sept. 22, 1970.

DELEGATES FROM GUAM AND VIRGIN ISLANDS

Provisions respecting representation in Congress by a Delegate from Guam and Virgin Islands to the House of Representatives, see section 1711 et seq. of Title 48, Territories and Insular Possessions.

SECTION REFERRED TO IN D.C. CODE

This section is referred to in section 1-292 of the District of Columbia Code.

§ 26. Roll of Representatives-elect

Before the first meeting of each Congress the Clerk of the next preceding House of Representatives shall make a roll of the Representatives-elect, and place thereon the names of those persons, and of such persons only, whose credentials show that they were regularly elected in accordance with the laws of their States respectively, or the laws of the United States. In case of a vacancy in the office of Clerk of the House of Representatives, or of the absence or inability of the Clerk to discharge the duties imposed on him by law or custom relative to the preparation of the roll of Representatives or the organization of the House, those duties shall devolve on the Sergeant at Arms of the next preceding House of Representatives. In case of vacancies in the offices of both the Clerk and the Sergeant at Arms, or of the absence or inability of both to act, the duties of the Clerk relative to the preparation of the roll of the House of Representatives or the organization of the House shall be performed by the Doorkeeper of the next preceding House of Representatives.

(R.S. §§ 31-33.)

CODIFICATION

R.S. § 31 constitutes first sentence; R.S. § 32 constitutes second sentence, and R.S. § 33 constitutes the third sentence.

PRIOR PROVISIONS

R.S. § 31 from acts Feb. 21, 1867, ch. 56, § 1, 14 Stat. 397 and Mar. 3, 1863, ch. 108, 12 Stat. 804.

R.S. §§ 32 and 33 from act Feb. 21, 1867, ch. 56, § 2, 14 Stat. 397.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 34 of this title.

§ 27. Change of place of meeting

Whenever Congress is about to convene, and from the prevalence of contagious sickness, or the existence of other circumstances, it would, in the opinion of the President, be hazardous to the lives or health of the members to meet at the seat of Government, the President is authorized, by proclamation, to convene Congress at such other place as he may judge proper.

(R.S. § 34.)

PRIOR PROVISIONS

Act Apr. 3, 1794, ch. 17, 1 Stat. 353.

CROSS REFERENCES

Removal of public offices from seat of government because of prevalence of contagious or epidemic disease, see section 73 of Title 4, Flag and Seal, Seat of Government, and The States.

§ 28. Parliamentary precedents of House of Representatives

(a) Periodic compilation; other useful materials; index digest; date of completion

The Parliamentarian of the House of Representatives, at the beginning of the fifth fiscal year following the completion and publication of the parliamentary precedents of the House authorized by the Legislative Branch Appropriation Act, 1966 (79 Stat. 270; Public Law 89-90), and at the beginning of each fifth fiscal year thereafter, shall commence the compilation and preparation for printing of the parliamentary precedents of the House of Representatives, together with such other materials as may be useful in connection therewith, and an index digest of such precedents and other materials. Each such compilation and preparation for printing of the parliamentary precedents of the House shall be completed by the close of the fiscal year immediately following the fiscal year in which such work is commenced.

(b) Form, number, and distribution of compilation

As so compiled and prepared, such precedents and other materials and index digest shall be printed on pages of such size, and in such type and format, as the Parliamentarian may determine and shall be printed in such numbers and for such distribution as may be provided by law enacted prior to printing.

(c) Appointment and compensation of personnel; utilization of services of personnel of Federal agencies

For the purpose of carrying out each such compilation and preparation, the Parliamentarian may—

(1) subject to the approval of the Speaker, appoint (as employees of the House of Representatives) clerical and other personnel and fix their respective rates of pay; and

(2) utilize the services of personnel of the Library of Congress and the Government Printing Office.

(Pub. L. 91-510, title III, § 331, Oct. 26, 1970, 84 Stat. 1186.)

REFERENCES IN TEXT

The Legislative Branch Appropriation Act, 1966, (79 Stat. 270; Public Law 89-90), referred to in subsec. (a), is Pub. L. 89-90, July 27, 1965, 79 Stat. 265. For classification of this Act to the Code, see Tables volume.

EFFECTIVE DATE

Section effective immediately prior to noon on Jan. 3, 1971, see section 601(1) of Pub. L. 91-510, set out as a note under section 72a of this title.

§ 28a. Compilation of the Precedents of House of Representatives; date of completion; biennial update; printing and availability of copies

The Speaker is authorized and directed to complete the Compilation of the Precedents of the House of Representatives by January 1, 1977, and prepare an updated compilation of such precedents every two years thereafter. Copies of the Compilation of Precedents shall be printed in sufficient quantity to be available to every Member and the standing committees of the House of Representatives.

(Pub. L. 93-554, title I, ch. III, § 101, Dec. 27, 1974, 88 Stat. 1777.)

CODIFICATION

Section is based on section 208 of House Resolution No. 988, Oct. 8, 1974, which was enacted into permanent law by Pub. L. 93-554.

EFFECTIVE DATE

Section 101 of Pub. L. 93-554 provided in part that the enactment of House Resolution No. 988, Ninety-third Congress, into permanent law is effective on Jan. 2, 1975. This section is derived from enactment into permanent law of section 208 of House Res. No. 988.

§ 28b. Printing and binding as public document of Precedents of House of Representatives; number of sets authorized

(a) There shall be printed and bound as a public document two thousand sets of the Precedents of the House of Representatives compiled and prepared by Lewis Deschler (hereinafter in sections 28b to 28e of this title referred to as the "Precedents") in accordance with the provisions of the Legislative Branch Appropriation Act, 1966 (Public Law 89-90; 79 Stat. 265).

(b) The number of sets authorized to be printed and bound by or pursuant to sections 28b to 28e of this title shall be in lieu of the usual number of copies for binding and distribution required by section 701 of Title 44.

(Pub. L. 94-551, § 1, Oct. 18, 1976, 90 Stat. 2537.)

REFERENCES IN TEXT

The Legislative Branch Appropriation Act, 1966, referred to in text, is Pub. L. 89-90, July 27, 1965, 79 Stat. 265. For distribution in the Code of such Act, see Tables volume.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 28e of this title.

§ 28c. Distribution of Precedents by Public Printer

(a) Delivery to Members of Ninety-fifth Congress; marking of volumes

The Public Printer shall deliver one set of the Precedents to each Senator or Representative in, or Delegate or Resident Commissioner to, the Ninety-fifth Congress. The name of the Member to whom the set is delivered shall be legibly stamped on the front cover of each volume of the set.

(b) Members of Congress following Ninety-fifth Congress not already having sets of Precedents; necessity of written request to Superintendent of Documents for set

Each Senator or Representative in, or Delegate or Resident Commissioner to, each Congress following the Ninety-fifth Congress who has not theretofore received a set of the Precedents shall be entitled to receive one set of the Precedents, upon transmitting a written request for such set to the Superintendent of Documents.

(c) Additional distribution of sets

The Public Printer shall make the following distribution of sets of the Precedents:

(1) to the office of the Vice President, to the office of the speaker of the House of Representatives, and to the office of the President pro tempore of the Senate, each, five sets;

(2) to the office of the majority leader of the House of Representatives and to the

office of the minority leader of the House of Representives, each, three sets;

(3) to the Parliamentarian of the House of Representatives, sixty sets;

(4) to the Parliamentarian of the Senate, five sets;

(5) to the Clerk of the House of Representatives, to the Sergeant at Arms of the House of Representatives, and to the Doorkeeper of the House of Representatives, each, two sets;

(6) to the Secretary of the Senate and to the Sergeant at Arms of the Senate, each, two sets;

(7) to the superintendent of the House document room, two sets;

(8) to the superintendent of the Senate document room, two sets;

(9) to the Library of Congress, for international exchange and for official use in Washington, District of Columbia, one hundred and fifty sets;

(10) to the National Archives, three sets;

(11) to the government of the District of Columbia, twelve sets;

(12) to the Smithsonian Institute, two sets;

(13) to the library of each legislative branch of each State, territory, and possession of the United States, one set; and

(14) to the Superintendent of Documents, eight hundred and sixteen sets for distribution to the depository library system.

(Pub. L. 94-551, § 2, Oct. 18, 1976, 90 Stat. 2537.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 28b, 28e of this title.

§ 28d. Distribution of Precedents by Public Printer for official use; particular distribution; marking and ownership of sets

(a) The Public Printer shall make the following distribution of sets of the Precedents;

(1) to each standing or joint committee of the Congress which is in existence on October 18, 1976, or which is established after October 18, 1976, four sets;

(2) to the office of the Legislative Counsel of the House of Representatives, five sets;

(3) to the office of the Legislative Counsel of the Senate, five sets;

(4) to the library of the House of Representatives, four sets;

(5) to the library of the Senate, two sets;

(6) to the library of the Supreme Court of the United States, nine sets;

(7) to the office of the Official Reporter of Debates of the House of Representatives, three sets; and

(8) to the office of the Official Reporter of Debates of the Senate, three sets.

(b) Each set of Precedents distributed by the Public Printer under subsection (a) of this section shall be for official use. Each such set shall be legibly stamped on the front cover "Property of the United States Government." Each such set, upon delivery, shall become and remain the property of the United States, and may not be removed from the building in which is located the designated library or office, as the case may be.

(Pub. L. 94-551, § 3, Oct. 18, 1976, 90 Stat. 2538.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 28b, 28e of this title.

§ 28e. Distribution of Precedents by Joint Committee on Printing of surplus sets; additional printing, etc., of sets under authority of Joint Committee

(a) Any set of the Precedents printed and bound pursuant to subsection (a) of section 28b of this title, not needed to carry out the distributions required by sections 28b to 28e of this title, shall be distributed under the direction of the Joint Committee on Printing.

(b) The Joint Committee on Printing may from time to time authorize and direct that additional sets of the Precedents, be printed, bound, and distributed in such manner as the Joint Committee determines will best carry out the purposes of sections 28b to 28e of this title.

(Pub. L. 94-551, § 4, Oct. 18, 1976, 90 Stat. 2538.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 28b of this title.

§ 29. Condensed and simplified versions of House precedents; other useful materials in summary form; form and distribution to Members of Congress, Resident Commissioner from Puerto Rico, and others; appointment and compensation of personnel; utilization of services of personnel of Federal agencies

The Parliamentarian of the House of Representatives shall prepare, compile, and maintain on a current basis and in cumulative form, for each Congress commencing with the Ninety-third Congress a condensed and, insofar as practicable, up-to-date version of all of the parliamentary precedents of the House of Representatives which have current use and application in the House, together with informative text prepared by the Parliamentarian and other useful related material in summary form. The Parliamentarian shall have such matter printed for each Congress on pages of such size and in such type and format as he considers advisable to promote the usefulness of such matter to the Members of the House and shall provide a printed copy thereof to each Member in each Congress, including the Resident Commissioner from Puerto Rico, and may make such other distribution of such printed copies as he considers advisable. In carrying out this section, the Parliamentarian may appoint and fix the pay of personnel and utilize the services of personnel of the Library of Congress and the Government Printing Office.

(Pub. L. 91-510, title III, § 332, Oct. 26, 1970, 84 Stat. 1186.)

EFFECTIVE DATE

Section effective immediately prior to noon on Jan. 3, 1971, see section 601(1) of Pub. L. 91-510, set out as a note under section 72a of this title.

§ 29a. Early organization of House of Representatives

(a) Caucus or conference for incumbent Members reelected to and Members-elect of ensuing Congress; time and procedure for calling

(1) The majority leader or minority leader of the House of Representatives after consultation with the Speaker may at any time during any even-numbered year call a caucus or con-

ference, to begin on or after the first day of December and conclude on or before the twentieth day of December in such year and to be attended by all incumbent Members of his or her political party who have been reelected to the ensuing Congress and all other Members-elect of such party, for the purpose of taking all steps necessary to achieve the prompt organization of the Members and Members-elect of such party for the ensuing Congress.

(2) If the majority leader or minority leader calls an organizational caucus or conference under paragraph (1), he or she shall file with the Clerk of the House a written notice designating the date upon which the caucus or conference is to convene. As soon as possible after the election of Members to the ensuing Congress, the Clerk shall furnish each Member-elect of the party involved with appropriate written notification of the caucus or conference.

(3) If a vacancy occurs in the office of majority leader or minority leader during any even-numbered year (and has not been filled), the chairman of the caucus or conference of the party involved for the current Congress may call an organizational caucus or conference under paragraph (1) by filing written notice thereof as provided by paragraph (2).

(b) Payment and reimbursement for travel and per diem expenses for Members attending caucus or conference; exceptions; regulations governing payments and reimbursements; reimbursement vouchers

(1)(A) Each Member-elect (other than an incumbent Member reelected to the ensuing Congress) who attends a caucus or conference called under subsection (a) of this section, and each incumbent Member reelected to the ensuing Congress who attends any such caucus or conference convening after the adjournment sine die of the Congress in the year involved, shall be paid for one round trip between his or her place of residence in the district which he or she represents and Washington, District of Columbia, for the purpose of attending such caucus or conference. Payment shall be made through the issuance of a transportation request form to each such Member-elect or incumbent Member by the Finance Office of the House before such caucus or conference.

(B) Each Member-elect (other than an incumbent Member reelected to the ensuing Congress) who attends a caucus or conference called under subsection (a) of this section shall in addition be reimbursed on a per diem or other basis for expenses incurred in connection with his or her attendance at such caucus or conference for a period not to exceed the shorter of the following—

(i) the period beginning with the day before the designated date upon which such caucus or conference is to convene and ending with the day after the date of the final adjournment of such caucus or conference; or

(ii) fourteen days.

(2) Payments and reimbursements to Members-elect under paragraph (1) shall be made as provided (with respect to Members) in the regulations prescribed by the Committee on House Administration with respect to travel and other expenses of committees and Members. Reimbursements shall be paid on special voucher forms prescribed by the Committee on House Administration.

(c) Availability of contingent fund of House.

The contingent fund of the House is made available to carry out the purposes of this section.

(Pub. L. 93-554, title I, ch. III, § 101, Dec. 27, 1974, 88 Stat. 1777.)

CODIFICATION

Section is based on section 202 of House Resolution No. 988, Oct. 8, 1974, which was enacted into permanent law by Pub. L. 93-554.

EFFECTIVE DATE

Section 101 of Pub. L. 93-554 provided in part that the enactment of House Resolution No. 988, Ninety-third Congress, into permanent law is effective on Jan. 2, 1975. This section is derived from enactment into permanent law of section 202 of House Res. No. 988.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 43b-2 of this title.

§ 29b. Commission on Information and Facilities in House of Representatives

(a) Establishment; composition

There shall be in the House of Representatives a Commission on Information and Facilities (hereinafter in this section referred to as the "Commission"), which shall be composed of nine Members of the House appointed by the Speaker, including the House Members of the Joint Committee on Congressional Operations, no more than five being members of the same political party.

(b) Advisory Council; establishment; composition; compensation

To assist the Commission in carrying out its functions, the Speaker shall establish an Advisory Council composed of six members as follows:

(1) Two members who are representatives of public affairs institutions or groups,

(2) Two members who have demonstrated ability in space utilization, and

(3) Two members of the general public.

The members of such Advisory Council shall receive compensation at the daily rate provided by law for persons in grade GS-18, for each day actually engaged in the performance of the Commission's functions; and shall be entitled to receive actual and necessary travel expenses, including per diem in lieu of subsistence.

(c) Study of informational problems, facilities and space, and House legislative counsel requirements

It shall be the function of the Commission to conduct a thorough and complete study of—

(1) the information problems of the House of Representatives against the background of the existing institutions and services available to the House, and to make such recommendations with respect thereto as may be appropriate, and

(2) with respect to the facilities and space requirements of the Members and committees of the House, including space utilization,

parking, and the organization, responsibility, and supervision to provide adequate, efficient, and economical space utilization, and

(3) the staff required to provide the House legislative counsel with the capability to fully meet the needs of the Members of the House.

(d) Scope of study of informational problems

The study conducted by the Commission pursuant to subsection (c)(1) of this section shall include (but need not be limited to)—

(1) House resources for information, including the Congressional Research Service, the General Accounting Office, and the Office of Technology Assessment, and the organizational framework that makes them effective or ineffective;

(2) information management, collection, and dissemination for the House;

(3) resources outside the Congress for information and their utilization;

(4) methods for setting up and organizing the flow of information from and to the Executive;

(5) experimental or pilot approaches to information problems, such as the creation of mechanisms for outside groups, or for pooling of resources; and

(6) the creation of a congressional staff journal or other process for communication.

(e) Annual progress reports to Speaker; contents; submission date of final report; completion date of study of House legislative counsel requirements

The Commission shall make an annual progress report to the Speaker, and shall make such additional reports as may appear appropriate or as may be directed by the Speaker, incorporating interim and final recommendations and drafts of legislation to carry out such recommendations. The final report of the Commission shall be submitted no later than January 2, 1977. The study conducted pursuant to subsection (c)(3) of this section shall be completed no later than January 1, 1976.

(f) Meetings; quorum

In carrying out its functions, the Commission may meet at such times and places as it deems necessary. A majority of the members of the Commission shall constitute a quorum for the transaction of business.

(g) Travel expenses and per diem for members and staff

Members and staff of the Commission shall be entitled to receive actual and necessary travel expenses, including per diem in lieu of subsistence.

(h) Utilization of staff of Joint Committee on Congressional Operations; appointment and compensation of other necessary staff

The Commission shall utilize the staff of the Joint Committee on Congressional Operations to the maximum extent possible and shall appoint and provide for the compensation of such other staff as may be necessary for the performance of its functions.

(i) Availability of contingent fund of House

The contingent fund of the House is made available to carry out the purposes of this section.

(Pub. L. 93-554, title I, ch. III, § 101, Dec. 27, 1974, 88 Stat. 1777.)

REFERENCES IN TEXT

Grade GS-18, referred to in subsec. (b), is contained in the General Schedule set out under section 5332 of Title 5, Government Organization and Employees.

CODIFICATION

Section is based on section 204 of House Resolution No. 988, Oct. 8, 1974, which was enacted into permanent law by Pub. L. 93-554.

Subsecs. (c) to (i), and all references thereto, were, in the original, (b) to (h) and all references thereto, and have been editorially redesignated in order to conform to the probable intent of Congress.

EFFECTIVE DATE

Section 101 of Pub. L. 93-554 provided in part that the enactment of House Resolution No. 988, Ninety-third Congress, into permanent law is effective on Jan. 2, 1975. This section is derived from enactment into permanent law of section 204 of House Res. No. 988.

TERMINATION OF ADVISORY COUNCILS

Advisory council established after Jan. 5, 1973 to terminate not later than the expiration of the two-year period beginning on the date of its establishment unless in the case of a council established by the President or an officer of the federal government, such council is renewed by appropriate action prior to the end of such period, or in the case of a council established by the Congress, its duration is otherwise provided by law see sections 3(2) and 14 of Pub. L. 92-463, Oct. 6, 1972, 86 Stat. 770, set out in the Appendix to Title 5, Government Organization and Employees.

CHAPTER 3—COMPENSATION AND ALLOWANCES OF MEMBERS

Sec.

31. Compensation of Members of Congress.
31a. Repealed.
31b. Expense allowance of Speaker of House of Representatives.
31b-1. Former Speakers of House of Representatives; retention of Federal office space, furniture, etc., in Congressional district following expiration of term as Representative; exceptions
31b-2. Reimbursement of former Speaker for office and other expenses for administration, etc., of matters pertaining to incumbency in office as Representative and Speaker.
31b-3. Reimbursement of former Speaker for telephone service charges for administration, etc., of matters pertaining to incumbency in office as Representative and Speaker.
31b-4. Franked mail and printing privileges of former Speaker.
31b-5. Staff assistance to former Speaker for administration, etc., of matters pertaining to incumbency in office as Representative and Speaker; compensation and status of staff.
31b-6. Allowance to former Speaker for stationery and other office supplies; amount; payment.
31c. Residence of Members for expense-deductions in income tax matters; limitation on amount deductible for living expenses.
32. Compensation of President Pro Tempore of Senate.
33. Senators' salaries payable monthly.
34. Representatives' salaries payable monthly.
35. Salaries payable monthly after taking oath.
36. Salaries of Senators.
36a. Payment of sums due deceased Senators and Senate personnel.

Sec.
37. Salaries of Representatives, Delegates, and Resident Commissioners elected for unexpired terms.
38. Omitted.
38a. Disposition of unpaid salary and other sums upon death of Representative or Resident Commissioner.
38b. Death gratuity payments as gifts.
39. Deductions for absence.
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41. Newspapers.
42. Postage.
42a. Airmail and special delivery postage allowances for President of the Senate.
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42c. Airmail and special delivery stamps for House members and standing committees.
42d. Airmail and special delivery stamps for House Speaker, leaders, whips, and officers.
43. Mileage of Senators, Representatives, and Delegates.
43a. Mileage of President of Senate.
43b. Reimbursement of Members of House of Representatives for additional transportation expenses.
43b-1. Election of Members of House of Representatives of lump sum transportation payment in lieu of reimbursement of transportation expenses.
43b-2. Staff expenses for Members of House of Representatives attending organizational caucus or conference.
43b-3. Payments and reimbursements for certain House staff expenses.
43c. Repealed.
44 to 46. Omitted.
46a. Stationery allowance for President of the Senate.
46a-1. Senate revolving fund for stationery allowances; availability of unexpended balances; withdrawals.
46a-2. Omitted.
46a-3. Repealed.
46a-4. Omitted.
46b. Stationery allowance for Representatives, Delegates, and Resident Commissioner.
46b-1. House revolving fund for stationery allowances; disposition of moneys from stationery sales; availability of unexpended balances.
46b-2. Prorated stationery allowance for Representatives, Delegates, and Resident Commissioner.
46c, 46d. Repealed.
46d-1. Long-distance telephone calls for Vice President.
46d-2. Repealed.
46d-3 to 46e. Repealed.
46f. Omitted.
46f-1. Repealed.
46g. Telephone, telegraph, and radiotelegraph allowances for Representatives, Delegates, and Resident Commissioner.
46g-1. Telephone allowances for Representatives, Resident Commissioner from Puerto Rico, and Delegate from the District of Columbia for strictly official telephone service.
46h. Repealed.
46i. Definitions.
47. Mode of payment.
48. Certification of salary and mileage accounts.
49. Certificate of salary during recess.
50. Substitute to sign certificates for salary and accounts.
51. Monuments to deceased Senators or Members of House.
52, 53. Repealed.
Sec.
54. United States Code Annotated or Federal Code Annotated; procurement for Members and Resident Commissioner.
55. United States Code Annotated or United States Code Service; procurement for Senators.
56. Office expenses within the District of Columbia of the Delegate from the District of Columbia.
57. Adjustment of allowances by Committee on House Administration.
57a. Limitation on authority of Committee on House Administration to fix and adjust allowances.
58. Mail, telegraph, telephone, stationery, office supplies, and home state office and travel expenses for Senators.
(a) Authorization for payment from contingent fund.
(b) Limits for authorized expenses.
(c) Payments.
(d) Repealed.
(e) Travel expenses.
(f) Reduction of allowances for fiscal year 1973.
(g) Closing of deceased Senator's state offices.
59. Home state office space for Senators.
(a) Procurement by Sergeant at Arms of Senate in places designated by Senator; places subject to use; lease of office space.
(b) Maximum amount of aggregate square feet for each Senator.
(c) Maximum annual rental rate; maximum aggregate amount for acquisition of furniture, equipment, and other office furnishings.
(d) Senators subject to maximum amount of aggregate square feet and maximum annual rental rate.
(e) Mobile office.
59a. Purchase of office equipment or furnishings by Representatives, Delegates, and Resident Commissioner.
(a) Authorization; conditions.
(b) Regulations governing purchase; price.
(c) Remittance of amounts received to General Services Administration; disposition.
(d) Definitions.
59b. Purchase of office equipment or furnishings by Senators.
(a) Authorization; conditions.
(b) Request to by Senator and arrangement for purchase by Sergeant at Arms of Senate; regulations governing purchase; price.
(c) Remittance of amounts received to General Services Administration; disposition.

§ 31. Compensation of Members of Congress

(1) The annual rate of pay for—

(A) each Senator, Member of the House of Representatives, and Delegate to the House of Representatives, and the Resident Commissioner from Puerto Rico,

(B) the President pro tempore of the Senate, the majority leader and the minority leader of the Senate, and the majority leader and the minority leader of the House of Representatives, and

(C) the Speaker of the House of Representatives,

shall be the rate determined for such positions under sections 351 to 361 of this title, as adjusted by paragraph (2) of this section.

(2) Effective at the beginning of the first applicable pay period commencing on or after the first day of the month in which an adjustment takes effect under section 5305 of title 5 in the rates of pay under the General Schedule, each annual rate referred to in paragraph (1) shall be adjusted by an amount, rounded to the nearest multiple of $100 (or if midway between multiples of $100, to the next higher multiple of $100), equal to the percentage of such annual rate which corresponds to the overall average percentage (as set forth in the report transmitted to the Congress under such section 5305) of the adjustment in the rates of pay under the General Schedule.

(Mar. 4, 1925, ch. 549, § 4, 43 Stat. 1301; May 17, 1932, ch. 190, 47 Stat. 158; Aug. 2, 1946, ch. 753, title VI, § 601(a), 60 Stat. 850; Jan. 19, 1949, ch. 2, § 1(d), 63 Stat. 4; Mar. 2, 1955, ch. 9, § 4(a), 69 Stat. 11; Aug. 14, 1964, Pub. L. 88-426, title II, § 204, 78 Stat. 415; Oct. 29, 1965, Pub. L. 89-301, § 11(e), 79 Stat. 1120; Dec. 16, 1967, Pub. L. 90-206, title II, § 225(h), 81 Stat. 644; Sept. 15, 1969, Pub. L. 91-67, § 2, 83 Stat. 107; Aug. 9, 1975, Pub. L. 94-82, title II, § 204(a), 89 Stat. 421.)

PAY INCREASES EFFECTIVE FOR PAY PERIOD BEGINNING AFTER THIRTIETH DAY FOLLOWING JANUARY 17, 1977

Salary of the Speaker of the House of Representatives increased to $75,000 per annum; salaries of the President Pro Tempore of the Senate, majority leader and minority leader of the Senate, and majority leader and minority leader of the House of Representatives increased to $65,000 per annum; and salaries of Senators, members of the House of Representatives, Delegate to the House of Representatives and the Resident Commissioner from Puerto Rico increased to $57,500 per annum, upon recommendation of the President of the United States. See note set out under section 358 of this title.

PAY INCREASES EFFECTIVE FOR PAY PERIOD BEGINNING ON OR AFTER OCTOBER 1, 1976

Pursuant to the authority vested in him by Pub. L. 94-82, the President, under Ex. Ord. No. 11941, Oct. 1, 1976, 41 F.R. 43889, set out as a note under section 5332 of Title 5, Government Organization and Employees, adjusted the annual rate of pay for the following positions, effective on the first day of the first applicable pay period beginning on or after Oct. 1, 1976:

Senator	$46,800
Member of the House of Representatives	$46,800
Delegate to the House of Representatives	$46,800
Resident Commissioner from Puerto Rico	$46,800
President pro tempore of the Senate	$54,500
Majority leader and minority leader of Senate	$54,500
Majority leader and minority leader of House of Representatives	$54,500
Speaker of the House of Representatives	$68,800

Ex. Ord. No. 11941 further provided that pursuant to the Legislative Branch Appropriation Act, 1977, funds are not available to pay a salary at a rate which exceeds the rate in effect on Sept. 30, 1976. For rates in effect on Sept. 30, 1976, see note covering increases effective for pay period beginning on or after Oct. 1, 1975, set out below.

PAY INCREASES EFFECTIVE FOR PAY PERIOD BEGINNING ON OR AFTER OCTOBER 1, 1975

Pursuant to the authority vested in him by Pub. L. 94-82, the President, under Ex. Ord. No. 11883, Oct. 6, 1975, 40 F.R. 47091, set out as a note under section 5332 of Title 5, Government Organization and Employees, adjusted the annual rate of pay for the following positions, effective on the first day of the first applicable pay period beginning on or after Oct. 1, 1975:

Senator	$44,600
Member of the House of Representatives	$44,600
Delegate to the House of Representatives	$44,600
Resident Commissioner from Puerto Rico	$44,600
President pro tempore of the Senate	$52,000
Majority leader and minority leader of Senate	$52,000
Majority leader and minority leader of House of Representatives	$52,000
Speaker of the House of Representatives	$65,600

REFERENCE IN TEXT

The General Schedule, referred to in par. (2), is set out under section 5332 of Title 5, Government Organization and Employees.

AMENDMENTS

1975—Par. (1). Pub. L. 94-82 designated existing provisions as par. (1), and as so designated, substituted provisions that the rate of pay of the specified parties shall be determined under section 351 et seq. of this title, as adjusted by par. (2) for provisions setting the rate of compensation at $42,500 for Senators, Representatives, Delegates and the Resident Commissioner, $62,500 for the Speaker, and $49,500 for the President pro tempore of the Senate and the Majority and Minority Leaders of the House and Senate.

Par. (2). Pub. L. 94-82 added par. (2).

1969—Pub. L. 91-67 increased the compensation of the Speaker of the House of Representatives from $43,000 to $62,500 per annum and the compensation of the Majority and Minority Leaders of both Houses of Congress from $35,000 to $49,500 per annum, and fixed the compensation of the President pro tempore of the Senate at $49,500 per annum.

1967—Salaries of Senators, members of the House of Representatives, and the Resident Commissioner from Puerto Rico increased from $30,000 to $42,500 per annum, commencing on the first day of the pay period which begins after February 14, 1969, upon recommendation of the President of the United States pursuant to Pub. L. 90-206. See note set out under section 358 of this title.

1965—Pub. L. 89-301 added provisions setting the rate of compensation of the Majority and Minority Leaders of the Senate and House of Representatives at $35,000 per annum each.

1964—Pub. L. 88-426 increased the compensation of Senators, Representatives and the Resident Commissioner from $22,500 to $30,000 per annum and that of the Speaker from $35,000 to $43,000 per annum, and eliminated provisions which related to Delegates from the Territories.

1955—Act Mar. 2, 1955, increased the salaries of Senators, Representatives, Delegates, and the Resident Commissioner from $12,500 a year to $22,500 and the compensation of the Speaker from $30,000 to $35,000 a year.

1949—Act Jan. 19, 1949, increased the Speaker's salary from $20,000 per year to $30,000.

1946—Act Aug. 2, 1946, increased salary of the Speaker from $15,000 to $20,000 per annum, and salaries of the Senators, Representatives, Delegates, and Resident Commissioner from $10,000 to $12,500 per annum.

EFFECTIVE DATE OF 1969 AMENDMENT

Amendment by Pub. L. 91-67 effective on Mar. 1, 1969, see section 3 of Pub. L. 91-67, set out as a note under section 104 of Title 3. The President.

EFFECTIVE DATE OF 1965 AMENDMENT

Amendment by Pub. L. 89-301 effective on the first day of the first pay period which begins on or after October 1, 1965, see section 17 of Pub. L. 89-301.

EFFECTIVE DATE OF 1964 AMENDMENT

Amendment by Pub. L. 88-426 effective at noon on Jan. 3, 1965, see section 501(b) of Pub. L. 88-426.

EFFECTIVE DATE OF 1955 AMENDMENT

Section 5 of act Mar. 2, 1955, provided that the provisions of that act amending this section, section 104 of Title 3, section 7443(c) of Title 26, Internal Revenue Code of 1954, sections 5, 44(d), 135, 173, 213, 252 and 508 of Title 28, Judiciary and Judicial Procedure, former section 101 of Title 48, Territories and Insular Possessions, and former section 654(a)(1) of Title 50, War and National Defense, shall take effect Mar. 1, 1955.

EFFECTIVE DATE OF 1949 AMENDMENT

Amendment by act Jan. 19, 1949, effective at noon on Jan. 20, 1949, see section 3 of act Jan. 19, 1949.

EFFECTIVE DATE OF 1946 AMENDMENT

Section 601(a) of act Aug. 2, 1946, provided in part that the increase in salary provided by act Aug. 2, 1946 shall be effective Jan. 3, 1947.

REPEALS

Act Mar. 24, 1938, ch. 84, § 7, 48 Stat. 460, formerly classified to this section, was repealed by Pub. L. 89-554, § 8(a), Sept. 6, 1966. 80 Stat. 648.

DELEGATE FROM DISTRICT OF COLUMBIA

Provisions of this section applicable, effective Sept. 22, 1970, with respect to Delegate to House of Representatives from District of Columbia in same manner and to same extent as applicable with respect to a Representative, see sections 204(a), 206(b) of Pub. L. 91-405, title II, Sept. 22, 1970, 84 Stat. 852, set out as notes under section 25 of this title.

COMMISSION ON JUDICIAL AND CONGRESSIONAL SALARIES

Act Aug. 7, 1953, ch. 353, 67 Stat. 485, which established a Commission to determine appropriate rates of salaries for justices and judges of the courts of the United States and for the Vice President, the Speaker of the House of Representatives, and Members of Congress, was repealed by Pub. L. 89-554, § 8(a), Sept. 6, 1966, 80 Stat. 657.

CROSS REFERENCES

Claims for overpayment of pay or allowances to Senators, see section 130c of this title.

Expense allowance of Speaker of House of Representatives, see section 31b of this title.

Retirement pay, see chapter 83 (§ 8301 et seq.) of Title 5, Government Organization and Employees.

SECTION REFERRED TO IN D.C. CODE

This section is referred to in section 1-292 of the District of Columbia Code.

§ 31a. Repealed. Mar. 2, 1955, ch. 9, § 4(b), 69 Stat. 11, eff. Mar. 1, 1955

Section, acts Aug. 2, 1946, ch. 753, title VI, § 601(b), 60 Stat. 850; Oct. 20, 1951, ch. 521, title VI, § 619(d), 65 Stat. 570, related to expense allowance for Senators, Representatives, Delegates, and Resident Commissioner.

§ 31b. Expense allowance of Speaker of House of Representatives

There shall be paid to the Speaker of the House of Representatives in equal monthly installments an expense allowance of $10,000 per annum (which shall be in lieu of the allowance provided by section 601(b) of the Legislative Reorganization Act of 1946, as amended) to assist in defraying expenses relating to or resulting from the discharge of his official duties, for which no accounting, other than for income tax purposes, shall be made by him.

(Jan. 19, 1949, ch. 2, § 1(e), 63 Stat. 4; Oct. 20, 1951, ch. 521, title VI, § 619(c), 65 Stat. 570.)

REFERENCES IN TEXT

Section 601(b) of the Legislative Reorganization Act of 1946, as amended, referred to in the text, was formerly classified to section 31a of this title, and was repealed by act Mar. 2, 1955, ch. 9, § 4(b), 69 Stat. 11, eff. Mar. 1, 1955.

AMENDMENTS

1951—Act Oct. 20, 1951, made the Speaker's expense allowance taxable.

EFFECTIVE DATE OF 1951 AMENDMENT

Section 619(e) of act Oct. 20, 1951, provided in part that this amendment shall become effective at noon on Jan. 3, 1953.

EFFECTIVE DATE

Section effective at noon on Jan. 20, 1949, pursuant to section 3 of act Jan. 19, 1949.

CROSS REFERENCES

Adjustment of allowances by Committee on House Administration, see section 57 of this title.

§ 31b-1. Former Speakers of House of Representatives; retention of Federal office space, furniture, etc., in Congressional district following expiration of term as Representative; exceptions

(a) Each former Speaker of the House of Representatives (hereafter referred to in this section and sections 31b-2 to 31b-6 of this title as the "Speaker") is entitled to retain, for as long as he determines there is need therefor, commencing at the expiration of his term of office as a Representative in Congress the complete and exclusive use of the Federal office space which is currently made available for his use in the congressional district represented by him and which shall be maintained by the Government in a condition appropriate for his use as he may request, together with all furniture, equipment, and furnishings currently made available by the Government for his use in connection with such office space, including any necessary replacements of such office furniture, equipment, and furnishings, in order to facilitate the administration, settlement, and conclusion of matters pertaining to or arising out of his incumbency in office as a Representative in Congress and as Speaker of the House of Representatives.

(b) This section and sections 31b-2 to 31b-6 of this title shall not apply with respect to any former Speaker of the House of Representatives for any period during which such former Speaker holds an appointive or elective office or position in or under the Federal Government or the government of the District of Columbia

to which is attached a rate of pay other than a nominal rate or to any former Speaker separated from the service by reason of expulsion from the House.

(Pub. L. 91-665, ch. VIII, § 800, Jan. 8, 1971, 84 Stat. 1989; Pub. L. 93-532, § 1, Dec. 22, 1974, 88 Stat. 1723.)

CODIFICATION

Subsection (a) of this section is based on section 1 of House Resolution No. 1238, Dec. 23, 1970, which was enacted into permanent law by Pub. L. 91-665.

Subsection (b) of this section is based on section 1(b) of Pub. L. 93-532.

As originally enacted into permanent law, section applied to Speaker of House of Representatives in 91st Congress and has been extended to apply to each former Speaker of House of Representatives. See section 1(a) of Pub. L. 93-532, set out as a note under this section.

EFFECTIVE DATE

Section 7 of House Resolution No. 1238, Dec. 23, 1970, as enacted into permanent law by Pub. L. 91-665, provided that: "The foregoing provisions of this resolution [adding this section and sections 31b-2 to 31b-6 of this title] shall become effective on the date of the enactment of this resolution as permanent law [Jan. 8, 1971]."

EXTENSION OF HOUSE RESOLUTION NO. 1238, 91ST CONGRESS, TO FORMER SPEAKERS OF HOUSE OF REPRESENTATIVES

Pub. L. 93-532, § 1(a), Dec. 22, 1974, 88 Stat. 1723, provided that: "The provisions of H. Res. 1238, Ninety-first Congress, as enacted into permanent law by the Supplemental Appropriations Act, 1971 (84 Stat. 1989) [adding this section and sections 31b-2 to 31b-6 of this title and provision set out as a note under this section], are hereby extended to, and made applicable with respect to, each former Speaker of the House of Representatives, as long as he determines there is need therefor, commencing at the expiration of his term of office as Representative in Congress."

§ 31b-2. Reimbursement of former Speaker for office and other expenses for administration, etc., of matters pertaining to incumbency in office as Representative and Speaker

The Speaker is entitled to reimbursement, from the contingent fund of the House, for as long as he determines there is need therefor, commencing at the expiration of his term of office as a Representative in Congress, in the manner provided by applicable provisions of the Legislative Appropriation Act, 1955, as amended by the Act of June 13, 1957 (71 Stat. 82; Public Law 85-54), and by the provisions of House Resolution 831, Eighty-eighth Congress, adopted August 14, 1964, enacted as permanent law by section 103 of the Legislative Branch Appropriation Act, 1966 (79 Stat. 281; Public Law 89-90; 2 U.S.C. 122a), in an aggregate quarterly amount equal to the aggregate quarterly amount to which a Member of the House of Representatives is entitled under such provisions of law as in effect on January 8, 1971, or as amended or supplemented after such date, for office and other expenses incurred in connection with the administration, settlement, and conclusion of matters pertaining to or arising out of his incumbency in office as a Representative in Congress and as Speaker of the House of Representatives.

(Pub. L. 91-665, ch. VIII, § 800, Jan. 8, 1971, 84 Stat. 1989; Pub. L. 93-532, § 1(a), Dec. 22, 1974, 88 Stat. 1723.)

REFERENCES IN TEXT

The Legislative Appropriation Act, 1955, as amended, referred to in text, is act July 2, 1954, ch. 455, 68 Stat. 396. For classification of this Act to the Code, see Tables volume.

CODIFICATION

Section is based on section 2 of House Resolution No. 1238, Dec. 23, 1970, which was enacted into permanent law by Pub. L. 91-665.

As originally enacted into permanent law, section applied to Speaker of House of Representatives in 91st Congress and has been extended to apply to each former Speaker of House of Representatives. See section 1(a) of Pub. L. 93-532, set out as a note under section 31b-1 of this title.

EFFECTIVE DATE

Section effective Jan. 8, 1971, see Effective Date note set out under section 31b-1 of this title.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 31b-1 of this title.

§ 31b-3. Reimbursement of former Speaker for telephone service charges for administration, etc., of matters pertaining to incumbency in office as Representative and Speaker

The Speaker is entitled to reimbursement, from the contingent fund of the House, for as long as he determines there is need therefor, commencing at the expiration of his term of office as a Representative in Congress in the manner provided by House Resolution 161, Ninetieth Congress, adopted May 11, 1967, enacted as permanent law by the Second Supplemental Appropriation Act, 1968 (82 Stat. 318; Public Law 90-392; 2 U.S.C. 46g-1), in a quarterly amount equal to the quarterly amount to which a Member of the House of Representatives is entitled under such provisions of law as in effect on January 8, 1971, or as amended or supplemented after such date, for charges for telephone service incurred in connection with the administration, settlement, and conclusion of matters pertaining to or arising out of his incumbency in office as a Representative in Congress and as Speaker of the House of Representatives.

(Pub. L. 91-665, ch. VIII, § 800, Jan. 8, 1971, 84 Stat. 1989; Pub. L. 93-532, § 1(a), Dec. 22, 1974, 88 Stat. 1723.)

REFERENCES IN TEXT

House Resolution 161, Ninetieth Congress adopted May 11, 1967, enacted as permanent law by the Second Supplemental Appropriation Act, 1968, referred to in text, was not effective in the Ninety-second Congress on and after April 1, 1971, and deemed repealed on Dec. 15, 1971. See section 46g-1 of this title and Codification notes set out thereunder.

CODIFICATION

Section is based on section 3 of House Resolution No. 1238, Dec. 23, 1970, which was enacted into permanent law by Pub. L. 91-665.

As originally enacted into permanent law, section applied to Speaker of House of Representatives in 91st Congress and has been extended to apply to each former Speaker of House of Representatives. See sec-

tion 1(a) of Pub. L. 93-532, set out as a note under section 31b-1 of this title.

EFFECTIVE DATE

Section effective Jan. 8, 1971, see Effective Date note set out under section 31b-1 of this title.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 31b-1 of this title.

§ 31b-4. Franked mail and printing privileges of former Speaker

(a) The Speaker may send mail as franked mail under sections 3210 and 3213 of title 39, and send and receive mail as franked mail under section 3211 of that title, for as long as he determines there is need therefor, commencing at the close of the period specified in those sections following the expiration of his term of office as a Representative in Congress. The postage on such mail, including registry fees if registration is required, shall be paid and credited as provided by section 3216(a) of title 39.

(b) For as long as he determines there is need therefor, commencing at the expiration of his term of office as a Representative in Congress, the Speaker shall be entitled to the benefits afforded by section 733 of title 44.

(Pub. L. 91-665, ch. VIII, § 800, Jan. 8, 1971, 84 Stat. 1989; Pub. L. 93-532, § 1(a), Dec. 22, 1974, 88 Stat. 1723.)

CODIFICATION

Section is based on section 4 of House Resolution No. 1238, Dec. 23, 1970, which was enacted into permanent law by Pub. L. 91-665.

As originally enacted into permanent law, section applied to Speaker of House of Representatives in 91st Congress and has been extended to apply to each former Speaker of House of Representatives. See section 1(a) of Pub. L. 93-532, set out as a note under section 31b-1 of this title.

References to sections of Title 39, Postal Service, have been substituted for references to obsolete sections of Title 39, The Postal Service, in view of revision and reenactment of such Title by the Postal Reorganization Act, Pub. L. 91-375, Aug. 12, 1970, 84 Stat. 719.

EFFECTIVE DATE

Section effective Jan. 8, 1971, see Effective Date note set out under section 31b-1 of this title.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 31b-1 of this title.

§ 31b-5. Staff assistance to former Speaker for administration, etc., of matters pertaining to incumbency in office as Representative and Speaker; compensation and status of staff

In order to provide staff assistance to the Speaker in connection with the administration, settlement, and conclusion of matters pertaining to or arising out of his incumbency in office as a Representative in Congress and as Speaker of the House of Representatives, the contingent fund of the House is hereby made available, for as long as he determines there is need therefor, commencing at the expiration of the term of office of the Speaker as a Representative in Congress to enable the Clerk of the House to pay the salaries of an Administrative Assistant, who shall be paid at a basic per annum rate of not to exceed $3,000, as determined by the Speaker, and a Secretary, who shall be paid at a basic per annum rate of not to exceed $3,000, as determined by the Speaker, designated and appointed by the Speaker to serve as members of his office staff in such period. Each person so designated and appointed as Administrative Assistant or Secretary shall be held and considered, for the duration of such appointment, as—

(1) an "employee" for the purposes of subchapter I of chapter 81 (relating to compensation for work injuries) of title 5, and

(2) a "congressional employee" within the meaning of section 2107 of title 5, for the purposes of—

(A) subchapter III (relating to civil service retirement) of chapter 83 of such title,

(B) chapter 87 (relating to Federal employees group life insurance) of such title, and

(C) chapter 89 (relating to Federal employees group health insurance) of such title.

(Pub. L. 91-665, ch. VIII, § 800, Jan. 8, 1971, 84 Stat. 1939; Pub. L. 93-532, § 1(a), Dec. 22, 1974, 88 Stat. 1723.)

CODIFICATION

Section is based on section 5 of House Resolution No. 1238, Dec. 23, 1970, which was enacted into permanent law by Pub. L. 91-665.

As originally enacted into permanent law, section applied to Speaker of House of Representatives in 91st Congress and has been extended to apply to each former Speaker of House of Representatives. See section 1(a) of Pub. L. 93-532, set out as a note under section 31b-1 of this title.

EFFECTIVE DATE

Section effective Jan. 8, 1971, see Effective Date note set out under section 31b-1 of this title.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 31b-1 of this title.

§ 31b-6. Allowance to former Speaker for stationery and other office supplies; amount; payment

The contingent fund of the House of Representatives is hereby made available to provide to the Speaker, for as long as he determines there is need therefor, commencing at the expiration of his term of office as a Representative in Congress, an allowance for stationery and other office supplies in an amount for each year of such period, which shall remain available until the close of such year, equal to the amount of the stationery allowance then currently in effect for each Member of the House for each regular session of the Congress. The Clerk of the House shall, out of the stationery allowance provided by this section, pay, on invoices transmitted to the Clerk by the Speaker for payment, the amount of all purchases made by or on behalf of the Speaker for stationery and other office supplies, or reimburse the Speaker, on vouchers signed and transmitted to the Clerk by the Speaker for reimbursement, in the amount of all such purchases.

(Pub. L. 91-665, ch. VIII, § 800, Jan. 8, 1971, 84 Stat. 1989; Pub. L. 93-532, § 1(a), Dec. 22, 1974, 88 Stat. 1723.)

CODIFICATION

Section is based on section 6 of House Resolution No. 1238, Dec. 23, 1970, which was enacted into permanent law by Pub. L. 91-665.

As originally enacted into permanent law, section applied to Speaker of House of Representatives in 91st Congress and has been extended to apply to each former Speaker of House of Representatives. See section 1(a) of Pub. L. 93-532, set out as a note under section 31b-1 of this title.

EFFECTIVE DATE

Section effective Jan. 8, 1971, see Effective Date note set out under section 31b-1 of this title.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 31b-1 of this title.

§ 31c. Residence of Members for expense-deductions in income tax matters; limitation on amount deductible for living expenses

In the case of taxable years beginning after December 31, 1953, the place of residence of a Member of Congress (including any Delegate and Resident Commissioner) within the State, congressional district, Territory, or possession which he represents in Congress shall be considered his home for the purposes of section 23(a)(1)(A) of title 26, but amounts expended by such Member within each taxable year for living expenses shall not be deductible for income tax purposes in excess of $3,000.

(July 9, 1952, ch. 598, § 101, 66 Stat. 467; Aug. 1, 1953, ch. 304, title I, § 101, 67 Stat. 322.)

REFERENCES IN TEXT

"Section 23(a)(1)(A) of Title 26", referred to in the text, was a reference to section 23(a)(1)(A) of the Internal Revenue Code, 1939, which was repealed by section 7851 of Title 26, I.R.C. 1954, and is now covered by section 162 of said Title 26. For provisions deeming a reference in other laws to a provision of I.R.C. 1939, also as a reference to corresponding provision of I.R.C. 1954, see section 7852(b) of Title 26.

AMENDMENTS

1953—Act Aug. 1, 1953, substituted "In the case of taxable years beginning after December 31, 1953" for "For the two taxable years beginning after December 31, 1952".

§ 32. Compensation of President Pro Tempore of Senate

Whenever there is no Vice President, the President of the Senate for the time being is entitled to the compensation provided by law for the Vice President.

(R.S. § 36.)

PRIOR PROVISIONS

Act. Aug. 16, 1856, ch. 123, § 2, 11 Stat. 48.

CROSS REFERENCES

Compensation of Vice President, see section 104 of Title 3, The President.

Mileage of President of Senate, see section 43a of this title.

§ 33. Senators' salaries payable monthly

Senators elected, whose term of office begins on the 3d day of January, and whose credentials in due form of law shall have been presented in the Senate, may receive their compensation monthly from the beginning of their term.

(Mar. 3, 1883, ch. 143, 22 Stat. 632; June 19, 1934, ch. 648, title I, § 1, 48 Stat. 1022.)

AMENDMENTS

1934—Act June 19, 1934, substituted "the 3d day of January" for "the fourth day of March" and "may receive their compensation monthly, from the beginning of their term" for "but who have had no opportunity to be qualified, may receive their compensation monthly, from the beginning of their term, until there shall be a session of the Senate".

CROSS REFERENCES

Claims for overpayment of pay or allowances to Senators, see section 130c of this title.

§ 34. Representatives' salaries payable monthly

Representatives and Delegates-elect to Congress, whose credentials in due form of law have been duly filed with the Clerk of the House of Representatives, in accordance with the provisions of section 26 of this title, may receive their compensation monthly, from the beginning of their term until the beginning of the first session of each Congress, upon a certificate in the form now in use to be signed by the Clerk of the House, which certificate shall have the like force and effect as is given to the certificate of the Speaker.

(R.S. § 38; Mar. 3, 1875, ch. 130, § 1, 18 Stat. 389.)

PRIOR PROVISIONS

Act Mar. 3, 1873, ch. 226, § 1, 17 Stat. 488.

DELEGATE FROM DISTRICT OF COLUMBIA

Provisions of this section applicable, effective Sept. 22, 1970, with respect to Delegate to House of Representatives from District of Columbia in same manner and to same extent as applicable with respect to a Representative, see sections 204(a), 206(b) of Pub. L. 91-405, title II, Sept. 22, 1970, 84 Stat. 852, set out as notes under section 25 of this title.

SECTION REFERRED TO IN D.C. CODE

This section is referred to in section 1-292 of the District of Columbia Code.

§ 35. Salaries payable monthly after taking oath

Each Member and Delegate, after he has taken and subscribed the required oath, is entitled to receive his salary at the end of each month.

(R.S. § 39.)

PRIOR PROVISIONS

Res. Mar. 29, 1867, No. 18, 15 Stat. 24.

DELEGATE FROM DISTRICT OF COLUMBIA

Provisions of this section applicable, effective Sept. 22, 1970, with respect to Delegate to House of Representatives from District of Columbia in same manner and to same extent as applicable with respect to a Representative, see sections 204(a), 206(b) of Pub. L. 91-405, title II, Sept. 22, 1970, 84 Stat. 852, set out as notes under section 25 of this title.

SECTION REFERRED TO IN D.C. CODE

This section is referred to in section 1-292 of the District of Columbia Code.

§ 36. Salaries of Senators

Salaries of Senators appointed to fill vacancies in the Senate shall commence on the day of their appointment and continue until their successors are elected and qualified: *Provided,* That when Senators have been elected during a sine die adjournment of the Senate to succeed appointees, the salaries of Senators so elected shall commence on the day following their election.

Salaries of Senators elected during a session to succeed appointees shall commence on the day they qualify: *Provided,* That when Senators have been elected during a session to succeed appointees, but have not qualified, the salaries of Senators so elected shall commence on the day following the sine die adjournment of the Senate.

When no appointments have been made the salaries of Senators elected to fill such vacancies shall commence on the day following their election.

(Feb. 10, 1923, ch. 68, 42 Stat. 1225; Feb. 6, 1931, ch. 111, 46 Stat. 1065; June 19, 1934, ch. 648, title I, § 1, 48 Stat. 1022; Feb. 13, 1935, ch. 6, § 1, 49 Stat. 22, 23.)

AMENDMENTS

1935—Act Feb. 13, 1935, added proviso as to commencement of salaries of Senators elected during a sine die adjournment on the day following their election and provision as to commencement of salaries of Senators elected during a session to succeed appointees on the day they qualify but that upon failure to qualify their salaries are to commence on the day following the sine die adjournment of the Senate and deleted provision that salaries of Senators elected to fill vacancies are to commence on the day they qualify

1934—Act June 19, 1934, made nonsubstantive changes in grammar and punctuation.

1931—Act Feb. 6, 1931, made nonsubstantive changes in grammar and punctuation and deleted "to fill such vacancies" following "When no appointments have been made".

SIMILAR PROVISIONS

July 31, 1894, ch. 174, 28 Stat. 162.
R.S. § 51.

CONSTITUTIONAL PROVISIONS

The first section of amendment XX to the Constitution provides in part: " * * * the terms of Senators and Representatives [shall end] at noon on the 3d day of January, of the years in which such terms would have ended if this article had not been ratified; and the terms of their successors shall then begin."

CROSS REFERENCES

Claims for overpayment or pay or allowances to Senators, see section 130c of this title.

§ 36a. Payment of sums due deceased Senators and Senate personnel

Under regulations prescribed by the Secretary of the Senate, a person serving as a Senator or officer or employee whose compensation is disbursed by the Secretary of the Senate may designate a beneficiary or beneficiaries to be paid any unpaid balance of salary or other sums due such person at the time of his death. When any person dies while so serving, any such unpaid balance shall be paid by the disbursing officer of the Senate to the designated beneficiary or beneficiaries. If no designation has been made, such unpaid balance shall be paid to the widow or widower of that person, or if there is no widow or widower, to the next of kin or heirs at law of that person.

Section 50 of the Revised Statutes shall not be effective as to persons included within the foregoing.

(Jan. 6, 1951, ch. 1213, ch. I, § 1, 64 Stat. 1224; Oct. 31, 1972, Pub. L. 92-607, ch. V, § 503, 86 Stat. 1505.)

REFERENCES IN TEXT

Section 50 of the Revised Statutes, referred to in the text, which required payment of not less than three months' salary to the widow or heirs at law of a deceased Member of or Delegate in Congress, was formerly classified to section 38 of this title which is omitted from this Code as superseded by section 38a of this title.

AMENDMENTS

1972—Pub. L. 92-607 added provisions for the designation of a beneficiary by Senators and officers and employees whose compensation is disbursed by the Secretary of the Senate to whom shall be paid any unpaid balance of salary or other sums due such person at the time of death.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in title 5 section 5581.

§ 37. Salaries of Representatives, Delegates, and Resident Commissioners elected for unexpired terms

The salaries of Representatives in Congress, Delegates from Territories, and Resident Commissioners, elected for unexpired terms, shall commence on the date of their election and not before.

(July 16, 1914, ch. 141, § 1, 38 Stat. 458.)

DELEGATE FROM DISTRICT OF COLUMBIA

Provisions of this section applicable, effective Sept. 22, 1970, with respect to Delegate to House of Representatives from District of Columbia in same manner and to same extent as applicable with respect to a Representative, see sections 204(a), 206(b) of Pub. L. 91-405, title II, Sept. 22, 1970, 84 Stat. 852, set out as notes under section 25 of this title.

CROSS REFERENCES

Resident Commissioner of Puerto Rico, see section 891 et seq. of Title 48, Territories and Insular Possessions.

SECTION REFERRED TO IN D.C. CODE

This section is referred to in section 1-292 of the District of Columbia Code.

§ 38. Omitted

CODIFICATION

Section, R.S. §§ 49, 50; acts Jan. 20, 1874, ch. 11, 18 Stat. 4; Mar. 4, 1925, ch. 549, § 4, 43 Stat. 1301, related to pay of member dying after commencement of Congress, and is now covered by section 38a of this title.

§ 38a. Disposition of unpaid salary and other sums upon death of Representative or Resident Commissioner

When any individual who has been elected a Member of, or Resident Commissioner to, the

House of Representatives dies after the commencement of the Congress to which he has been elected, any unpaid balance of salary and other sums due such individual (including amounts held in the trust fund account in the office of the Sergeant at Arms) shall be paid to the person or persons surviving at the date of death, in the following order of precedence, and such payment shall be a bar to the recovery by any other person of amounts so paid:

First, to the beneficiary or beneficiaries designated by such individual in writing to receive such unpaid balance and other sums due filed with the Sergeant at Arms, and received by the Sergeant at Arms prior to such individual's death;

Second, if there be no such beneficiary, to the widow or widower of such individual;

Third, if there be no beneficiary or surviving spouse, to the child or children of such individual, and descendants of deceased children, by representation;

Fourth, if none of the above, to the parents of such individual, or the survivor of them;

Fifth, if there be none of the above, to the duly appointed legal representative of the estate of the deceased individual, or if there be none, to the person or persons determined to be entitled thereto under the laws of the domicile of the deceased individual.

(July 2, 1954, ch. 455, title I, § 105, 68 Stat. 409; July 23, 1959, Pub. L. 86-102, 73 Stat. 224.)

AMENDMENTS

1959—Pub. L. 86-102 added provisions including amounts held in the trust fund account, authorizing an individual to designate a beneficiary or beneficiaries, and prescribing the order of precedence in cases where no designation of beneficiary has been made.

DELEGATE FROM DISTRICT OF COLUMBIA

Provisions of this section applicable, effective Sept. 22, 1970, with respect to Delegate to House of Representatives from District of Columbia in same manner and to same extent as applicable with respect to a Representative, see sections 204(a), 206(b) of Pub. L. 91-405, title II, Sept. 22, 1970, 84 Stat. 852, set out as notes under section 25 of this title.

CROSS REFERENCES

Settlement of accounts of employees generally, see section 5581 et seq. of Title 5, Government Organization and Employees.

SECTION REFERRED TO IN D.C. CODE

This section is referred to in section 1-292 of the District of Columbia Code.

§ 38b. Death gratuity payments as gifts

Any death gratuity payment at any time specifically appropriated by any Act of Congress or at any time made out of the contingent fund of the House of Representatives or of the Senate shall be held to have been a gift.

(June 5, 1952, ch. 369, ch. I, § 101, 66 Stat. 101.)

CODIFICATION

Provisions are also set out as section 125a of this title.

§ 39. Deductions for absence

The Secretary of the Senate and Sergeant at Arms of the House, respectively, shall deduct from the monthly payments of each Member or Delegate the amount of his salary for each day that he has been absent from the Senate or House, respectively, unless such Member or Delegate assigns as the reason for such absence the sickness of himself or of some member of his family.

(R.S. § 40.)

PRIOR PROVISIONS

Act Aug. 16, 1856, ch. 123, § 6, 11 Stat. 49.

DELEGATE FROM DISTRICT OF COLUMBIA

Provisions of this section applicable, effective Sept. 22, 1970, with respect to Delegate to House of Representatives from District of Columbia in same manner and to same extent as applicable with respect to a Representative, see sections 204(a), 206(b) of Pub. L. 91-405, title II, Sept. 22, 1970, 84 Stat. 852, set out as notes under section 25 of this title.

SECTION REFERRED TO IN D.C. CODE

This section is referred to in section 1-292 of the District of Columbia Code.

§ 40. Deductions for withdrawal

When any Member or Delegate withdraws from his seat and does not return before the adjournment of Congress, he shall, in addition to the sum deducted for each day, forfeit a sum equal to the amount which would have been allowed by law for his mileage in returning home; and such sum shall be deducted from his compensation, unless the withdrawal is with the leave of the Senate or House of Representatives respectively.

(R.S. § 41.)

PRIOR PROVISIONS

Res. July 17, 1862, No. 68, § 2, 12 Stat. 628.

DELEGATE FROM DISTRICT OF COLUMBIA

Provisions of this section applicable, effective Sept. 22, 1970, with respect to Delegate to House of Representatives from District of Columbia in same manner and to same extent as applicable with respect to a Representative, see sections 204(a), 206(b) of Pub. L. 91-405, title II, Sept. 22, 1970, 84 Stat. 852, set out as notes under section 25 of this title.

SECTION REFERRED TO IN D.C. CODE

This section is referred to in section 1-292 of the District of Columbia Code.

§ 40a. Deductions for delinquent indebtedness

Whenever a Representative, Delegate, Resident Commissioner, or a United States Senator, shall fail to pay any sum or sums due from such person to the House of Representatives or Senate, respectively, the appropriate committee or officer of the House of Representatives or Senate, as the case may be, having jurisdiction of the activity under which such debt arose, shall certify such delinquent sum or sums to the Sergeant at Arms of the House in the case of an indebtedness to the House of Representatives and to the Secretary of the Senate in the case of an indebtedness to the Senate, and such latter officials are authorized and directed, respectively, to deduct from any salary, mileage, or expense money due to any such delinquent such certified amounts or so much thereof as the balance or balances due such delinquent

may cover. Sums so deducted by the Secretary of the Senate shall be disposed of by him in accordance with existing law, and sums so deducted by the Sergeant at Arms of the House shall be paid to the Clerk of the House and disposed of by him in accordance with existing law.

(June 19, 1934, ch. 648, title I, § 1, 48 Stat. 1024.)

DELEGATE FROM DISTRICT OF COLUMBIA

Provisions of this section applicable, effective Sept. 22, 1970, with respect to Delegate to House of Representatives from District of Columbia in same manner and to same extent as applicable with respect to a Representative, see section 204(a), 205(b) of Pub. L. 91-405, title II, Sept. 22, 1970, 84 Stat. 852, set out as notes under section 25 of this title.

CROSS REFERENCES

Claims for overpayment of pay or allowances to Senators, see section 130c of this title.

SECTION REFERRED TO IN D.C. CODE

This section is referred to in section 1-292 of the District of Columbia Code.

§ 41. Newspapers

No Member or Delegate is entitled to any allowance for newspapers.

(R.S. § 43.)

PRIOR PROVISIONS

Act Feb. 12, 1868, ch. 8, § 1, 15 Stat. 35.

DELEGATE FROM DISTRICT OF COLUMBIA

Provisions of this section applicable, effective Sept. 22, 1970, with respect to Delegate to House of Representatives from District of Columbia in same manner and to same extent as applicable with respect to a Representative, see sections 204(a), 206(b) of Pub. L. 91-405, title II, Sept. 22, 1970, 84 Stat. 852, set out as notes under section 25 of this title.

SECTION REFERRED TO IN D.C. CODE

This section is referred to in section 1-292 of the District of Columbia Code.

§ 42. Postage

(a) In addition to postage stamps authorized to be furnished under any other provision of law, until otherwise provided by law, the Clerk of the House of Representatives shall procure and furnish United States postage stamps (1) to each Representative, the Resident Commissioner of Puerto Rico, and the Delegate from the District of Columbia in an amount not exceeding $210 and (2) to each standing committee of the House of Representatives upon request of the chairman thereof, in an amount not exceeding $130.

(b) In addition to postage stamps authorized under any other provision of law, until otherwise provided by law, the Speaker, the majority and minority leaders, and the majority and minority whips of the House of Representatives shall each be allowed United States postage stamps in an amount not exceeding $190, and the following officers of the House of Representatives shall each be allowed such stamps in the amounts herein specified as follows: The Clerk of the House, $340; the Sergeant at Arms, $250; the Doorkeeper, $210; and the Postmaster, $170.

(c) There shall be paid out of the contingent fund of the House of Representatives such sums as may be necessary to carry out this section.

(Pub. L. 92-184, ch. IV, § 401, Dec. 15, 1971, 85 Stat. 636.)

CODIFICATION

Section is based on House Resolution No. 420, May 18, 1971, which was enacted into permanent law by Pub. L. 92-184.

A prior section 42, R.S. § 44, which proscribed compensation or allowance to Senators, Representatives, or Delegates for postage, was omitted as obsolete in view of sections 42a, 46a, and 46b of this title.

CROSS REFERENCES

Adjustment of allowances by Committee on House Administration, see section 57 of this title.

§ 42a. Airmail and special delivery postage allowances for President of the Senate

The Secretary of the Senate is authorized and directed to procure and furnish each fiscal year to the President of the Senate, upon request by such person, United States air mail and special-delivery postage stamps in an amount not exceeding $1,215 for the fiscal year 1972 and thereafter for the mailing of postal matters arising in connection with his or her official business.

(July 1, 1941, ch. 268, § 1, 55 Stat. 450; June 8, 1942, ch. 396, § 1, 56 Stat. 339; June 26, 1944, ch. 277, title I, § 1, 58 Stat. 339; June 13, 1945, ch. 189, § 1, 59 Stat. 243; Oct. 11, 1951, ch. 485, § 101, 65 Stat. 391; July 2, 1954, ch. 455, title I, § 101, 68 Stat. 402; Aug. 5, 1955, ch. 568, § 1, 69 Stat. 503; June 27, 1956, ch. 453, § 101, 70 Stat. 359; July 31, 1958, Pub. L. 85-570, § 101, 72 Stat. 442; July 12, 1960, Pub. L. 86-628, § 101, 74 Stat. 449; Dec. 30, 1963, Pub. L. 88-248, § 101, 77 Stat. 805; July 27, 1965, Pub. L. 89-90, § 101, 79 Stat. 268; July 23, 1968, Pub. L. 90-417, § 101, 82 Stat. 400; Dec. 12, 1969, Pub. L. 91-145, § 101, 83 Stat. 342; July 9, 1971, Pub. L. 92-51, § 101, 85 Stat. 128; Oct. 31, 1972, Pub. L. 92-607, ch. V, § 506 (h)(1), 86 Stat. 1508.)

CODIFICATION

Provisions which authorized airmail and special-delivery stamps for each Representative and Resident Commissioner of Puerto Rico are omitted as superseded by section 42c of this title.

AMENDMENTS

1972—Pub. L. 92-607 repealed this section insofar as it related to Senators. For purposes of codification this entailed striking out "each Senator and" preceding "the President of the Senate" and striking out sentence covering additional allowances for Senators from states partially or wholly west of the Mississippi. See section 58 of this title.

1971—Pub. L. 92-51 increased the maximum allowance from $1,056 to $1,215 for fiscal year 1972 and thereafter and the additional allowance for Senators from States partially or wholly west of the Mississippi River from $264 to $305 for each fiscal year.

1969—Pub. L. 91-145 increased the maximum allowance from $960 to $1,056 for the fiscal year 1970 and thereafter and the additional allowance for Senators from States partially or wholly west of the Mississippi River from $240 to $264 for each fiscal year.

1968—Pub. L. 90-417 increased the maximum allowance from $800 to $960 for the fiscal year 1969 and thereafter and the additional allowance for Sena-

tors from States partially or wholly west of the Mississippi River from $200 to $240 for each fiscal year.

1965—Pub. L. 89-90 increased the maximum allowance from $610 to $800 for the fiscal year 1966 and thereafter and authorized for Senators from States partially or wholly west of the Mississippi River an additional allowance of $200 each fiscal year.

1963—Pub. L. 88-248 increased the maximum allowance from $550 to $610 for the fiscal year 1964 and thereafter.

1960—Pub. L. 86-628 increased the maximum allowance from $450 to $550 for the fiscal year 1961 and thereafter.

1958—Pub. L. 85-570 increased the maximum per capita allowance for Senators and the President of the Senate from $400 to $450.

1956—Act June 27, 1956, increased the maximum per capita allowance for Senators and the President of the Senate from $300 to $400.

1955—Act Aug. 5, 1955, increased the maximum per capita allowance for Senators and the President of the Senate from $200 to $300.

1954—Act July 2, 1954, increased the maximum per capita allowance for Senators and the President of the Senate from $132.07 to $200, for each fiscal year, and the allowance for each Representative, Delegate, and Resident Commissioner from $125 to $200, for each fiscal year.

1951—Act Oct. 11, 1951, increased the allowance for each Senator and the President of the Senate from $105.66 to $132.07.

1945—Act June 13, 1945, increased amount of postage for each Senator and the President of the Senate from $96.66 to $105.66, and for each Representative, Delegate, and Resident Commissioner from $65 to $90 per year.

1944—Act June 26, 1944, increased amount of air mail and special-delivery postage stamps for each Senator and the President of the Senate from $50 to $96.66 per year, and for each Representative, Delegate, and Resident Commissioner from $50 to $65 per year.

1942—Act June 8, 1942, provided that special-delivery stamps in addition to air mail stamps be furnished upon request to each Representative, Delegate, and the Resident Commissioner for Puerto Rico.

EFFECTIVE DATE OF 1972 AMENDMENT

Section 506(h) of Pub. L. 92-607 provided in part that the amendment by Pub. L. 92-607 is effective Jan. 1, 1973.

EFFECTIVE DATE OF 1954 AMENDMENT

Section 101 of act July 2, 1954, provided in part that part of such amendment increasing the air mail and special-delivery postage allowance of Representatives, Delegates, and Resident Commissioner from $125 to $200, shall be effective after June 30, 1954.

EFFECTIVE DATE OF 1944 AMENDMENT

Amendment by act June 26, 1944, increasing postage stamps allowance of Senators and President of the Senate was made effective July 1, 1944, by title I thereof.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 58 of this title.

§§ 42a-1, 42b. Omitted

CODIFICATION

Section 42a-1, act July 2, 1954, ch. 455, title I, § 101, 68 Stat. 402, prescribed airmail and special-delivery postage allowances for the Speaker and the House majority and minority leaders and whips, and is omitted as superseded by section 42d of this title.

Section 42b, acts June 22, 1949, ch. 235, § 101, 63 Stat. 222; July 2, 1954, ch. 455, title I, § 101, 68 Stat. 402, prescribed airmail and special-delivery postage allowances for each House standing committee, and is omitted as superseded by section 42c of this title.

§ 42c. Airmail and special delivery stamps for House members and standing committees

The Clerk of the House of Representatives is authorized and directed to procure and furnish—

(1) to each Representative and Delegate and the Resident Commissioner of Puerto Rico, upon request by such person, United States airmail and special delivery postage stamps in an amount not exceeding $700, for the second session of the Ninetieth Congress and for each succeeding regular session of Congress, for the mailing of postal matters arising in connection with his official business; and

(2) to each standing committee of the House of Representatives, upon request of the chairman thereof, United States airmail and special delivery postage stamps in an amount not exceeding $420, for the second session of the Ninetieth Congress and for each succeeding regular session of Congress, for official business of each such committee.

(Pub. L. 85-778, § 1, Aug. 27, 1958, 72 Stat. 934; Pub. L. 88-454, § 103, Aug. 20, 1964, 78 Stat. 550; Pub. L. 90-392, title I, § 101, July 9, 1968, 82 Stat. 318.)

AMENDMENTS

1968—Additional airmail and special delivery stamps in an amount not exceeding $200 for each Representative and the Resident Commissioner from Puerto Rico, and in an amount not exceeding $120 for each standing committee, was authorized by House Resolution No. 1003, Dec. 14, 1967, effective Jan. 3, 1968, which was enacted into permanent law by Pub. L. 90-392.

1964—Additional airmail and special delivery stamps in an amount not exceeding $100 for each Representative and the Resident Commissioner from Puerto Rico, and in an amount not exceeding $60 for each standing committee, was authorized by House Resolution No. 532, Oct. 2, 1963, which was enacted into permanent law by Pub. L. 88-454.

DELEGATE FROM DISTRICT OF COLUMBIA

Provisions of this section applicable, effective Sept. 22, 1970, with respect to Delegate to House of Representatives from District of Columbia in same manner and to same extent as applicable with respect to a Representative, see sections 204(a), 206(b) of Pub. L. 91-405, title II, Sept. 22, 1970, 84 Stat. 852, set out as notes under section 25 of this title.

EXISTING ENTITLEMENTS

Sections 3 and 4 of Pub. L. 85-778 provided:

"SEC. 3. In addition to amounts of United States airmail and special delivery postage stamps made available by this Act for the first session of the Eighty-sixth Congress, each person and committee referred to in this Act shall be entitled to receive, until June 30, 1959, the amount of such stamps to which he would have been entitled but for the enactment of this Act.

"SEC. 4. Except as provided in section 3, amounts of United States airmail and special delivery postage stamps made available by the first section and section 2 of this Act [this section and section 42d of this title] shall be in lieu of, and not in addition to, any amounts of such stamps made available under any other provisions of law to persons and committees referred to in such sections."

CROSS REFERENCES

Adjustment of allowances by Committee on House Administration, see section 57 of this title.

SECTION REFERRED TO IN D.C. CODE

This section is referred to in section 1-292 of the District of Columbia Code.

§ 42d. Airmail and special delivery stamps for House Speaker, leaders, whips, and officers

(1) The Speaker, the majority and minority leaders, and the majority and minority whips of the House of Representatives shall each be allowed, for the second session of the Ninetieth Congress and for each succeeding regular session of Congress, United States airmail and special delivery postage stamps in an amount not exceeding $630.

(2) For the second session of the Ninetieth Congress and for each succeeding regular session of Congress, the following officers of the House of Representatives shall each be allowed United States airmail and special delivery postage stamps in the amounts herein specified as follows: The Clerk of the House, $1,120; the Sergeant at Arms, $840, the Doorkeeper, $700, and the Postmaster, $560.

(Pub. L. 85-778, § 2, Aug. 27, 1958, 72 Stat. 934; Pub. L. 88-454, § 103, Aug. 20, 1964, 78 Stat. 550; Pub. L. 90-392, title I, § 101, July 9, 1968, 82 Stat. 318.)

AMENDMENTS

1968—Subd. (1). Additional airmail and special delivery stamps in an amount not exceeding $180 were authorized by House Resolution No. 1003, Dec. 14, 1967, effective Jan. 3, 1968, which was enacted into permanent law by Pub. L. 90-392.

Subd. (2). Airmail and special delivery allowances were increased in the amount of $320 for the Clerk, $240 for the Sergeant at Arms, $200 for the Doorkeeper, and $160 for the Postmaster by House Resolution No. 1003, Dec. 14, 1967, effective Jan. 3, 1968, which was enacted into permanent law by Pub. L. 90-392.

1964—Subd. (1). Additional airmail and special delivery stamps in an amount not exceeding $90 were authorized by House Resolution No. 532, Oct. 2, 1963, which was enacted into permanent law by Pub. L. 88-454.

Subd. (2). Airmail and special delivery allowances were increased in the amount of $160 for the Clerk, $120 for the Sergeant at Arms, $100 for the Doorkeeper, and $80 for the Postmaster by House Resolution No. 532, Oct. 2, 1963, which was enacted into permanent law by Pub. L. 88-454.

CROSS REFERENCES

Adjustment of allowances by Committee on House Administration, see section 57 of this title.

§ 43. Mileage of Senators, Representatives, and Delegates

Each Senator, Representative, and Delegate shall receive mileage at the rate of 20 cents per mile, to be estimated by the nearest route usually traveled in going to and returning from each regular session.

(July 28, 1866, ch. 296, § 17, 14 Stat. 323.)

REPEALS

Act Jan. 20, 1874, ch. 11, 18 Stat. 4, repealed so much of act Mar. 3, 1873, ch. 226, 17 Stat. 486, as provided for increase in compensation of Members of Congress and Delegates and that their compensation and allowances should be fixed by laws in force at time of passage of said act Mar. 3, 1873.

CROSS REFERENCES

Additional transportation expenses, reimbursement of Senators and Members of House of Representatives, see section 43b of this title.

Adjustment of allowances by Committee on House Administration, see section 57 of this title.

§ 43a. Mileage of President of Senate

On and after July 8, 1935, the President of the Senate shall be paid mileage at the same rate and in the same manner as now allowed by law to Senators, Members of the House of Representatives, and Delegates in Congress.

(July 8, 1935, ch. 374, § 1, 49 Stat. 459.)

§ 43b. Reimbursement of Members of House of Representatives for additional transportation expenses

The contingent fund of the House of Representatives is hereafter made available for reimbursement of transportation expenses incurred by Members (including the Resident Commissioner from Puerto Rico) in traveling, on official business, by the nearest usual route, between Washington, District of Columbia, and any point in the district which he represents, for a number of round trips each year not to exceed the number of months Congress is in session in such year, such reimbursement to be made in accordance with rules and regulations established by the Committee on House Administration of the House of Representatives.

(Pub. L. 85-570, § 101, July 31, 1958, 72 Stat. 443; Pub. L. 86-176, § 101, Aug. 21, 1959, 73 Stat. 401; Pub. L. 88-70, July 19, 1963, 77 Stat. 82; Pub. L. 89-90, § 101, July 27, 1965, 79 Stat. 269; Pub. L. 89-147, § 1, Aug. 28, 1965, 79 Stat. 583; Pub. L. 89-545, § 101, Aug. 27, 1966, 80 Stat. 358; Pub. L. 90-86, § 1, Sept. 17, 1967, 81 Stat. 226; Pub. L. 91-145, Dec. 12, 1969, § 101, 83 Stat. 343; Pub. L. 92-51, § 101, July 9, 1971, 85 Stat. 128; Pub. L. 92-607, ch. V, §§ 502, 506(h)(2), Oct. 31, 1972, 86 Stat. 1504, 1508.)

AMENDMENTS

1972—Pub L. 92-607 removed from the category of allowed expenses any transportation expenses incurred by employees assigned to a Senator's office within the home state while traveling in the general vicinity of the office, pursuant to change in assignment within the state, and commuting, and, effective Jan. 1, 1973, struck out all provisions for the reimbursement of Senators and employees of Senators for travel expenses to the Senator's home state. See section 58 of this title.

1971—Pub. L. 92-51 rewrote provisions for reimbursement of Senators for transportation expenses, substituting provisions granting a total sum for each fiscal year for each Senator and employees in the Senator's office equal to forty or forty-four times the prescribed mileage allowance dependent on population of the Senator's State being under ten million or ten million and over inhabitants and in accordance with a schedule based on decreasing cents per mile for increasing distances within prescribed limits, describing method of computation when office is occupied for less than entire fiscal year, requiring voucher certification of employees' round trips as in line of official duty, prohibiting travel payments to place of employment of new appointees, and authorizing reimbursement as additional to any other provided for by law for official travel, for former provisions for reimbursement of Senators for each fiscal year for not more than twelve round trips or the equivalent thereof in one-way trips.

1969—Pub. L. 91-145 increased the round trip limitation for Senators from six to twelve.

1967—Pub. L. 90-86 provided for reimbursement to members of the House, in accordance with the rules of the House Committee on House Administration, for those round trips made each year between the member's district and Washington, D.C., the number of such trips not to exceed the number of months Congress is in session in such year instead of for four round trips each year.

1966—Pub. L. 89-545 authorized the equivalent of six round trips in one-way trips for Senators.

1965—Pub. L. 89-147 increased from two to four round trips per year of Members of the House of Representatives for which transportation expenses are to be reimbursed.

Pub. L. 89-90 increased the round trip limitation for Senators from two to six.

1963—Pub. L. 88-70 authorized reimbursement of Members of House of Representatives for transportation expenses.

1959—Pub. L. 86-176 substituted "between Washington, District of Columbia, and any point in their home States, for not to exceed two round trips" for "from Washington, District of Columbia, to their resident cities in their home States, and return, for not to exceed two such round trips."

EFFECTIVE DATE OF 1972 AMENDMENT

Section 506(h) of Pub. L. 92-607 provided in part that the amendment by section 506(h)(2) of Pub. L. 92-607 [which struck out in its entirety the first par. of this section providing for the reimbursement of Senators and employees of Senators for travel expenses to the Senator's home state] is effective Jan. 1, 1973.

EFFECTIVE DATE OF 1971 AMENDMENT

Section 101 of Pub. L. 92-51 provided in part that amendment of this section by Pub. L. 92-51 shall be effective July 1, 1971.

EFFECTIVE DATE OF 1969 AMENDMENT

Section 101 of Pub. L. 91-145 provided in part that the amendment of this section by Pub. L. 91-145 shall be effective July 1, 1969.

EFFECTIVE DATE OF 1967 AMENDMENT

Section 3 of Pub. L. 90-86 provided that: "The amendments made by the first two sections of this Act [amending this section and section 43b-1 of this title] shall take effect as of January 3, 1967".

CROSS REFERENCES

Adjustment of allowances by Committee on House Administration, see section 57 of this title.

Delegates from Guam and Virgin Islands, reimbursement of transportation expenses, see section 1715 of Title 48, Territories and Insular Possessions.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 43b-1, 58 of this title; title 48 section 1715.

§ 43b-1. Election of Members of House of Representatives of lump sum transportation payment in lieu of reimbursement of transportation expenses

A Member of the House of Representatives (including the Resident Commissioner from Puerto Rico) may elect to receive in any year, in lieu of reimbursement of transportation expenses for such year as authorized by section 43b of this title, a lump sum transportation payment of $750 for such year. The Committee on House Administration of the House of Representatives shall make such rules and regulations as may be necessary to carry out this section.

(Pub. L. 89-147, § 2, Aug. 28, 1965, 79 Stat. 583; Pub. L. 90-86, § 2, Sept. 17, 1967, 81 Stat. 226.)

AMENDMENTS

1967—Pub. L. 90-86 substituted "$750" for "$300".

EFFECTIVE DATE OF 1967 AMENDMENT

Amendment by Pub. L. 90-86 effective Jan. 3, 1967, see section 3 of Pub. L. 90-86, set out as a note under section 43b of this title.

CROSS REFERENCES

Adjustment of allowances by Committee on House Administration, see section 57 of this title.

§ 43b-2. Staff expenses for Members of House of Representatives attending organizational caucus or conference

(a) Each Member-elect (other than an incumbent Member reelected to the ensuing Congress) who attends a caucus or conference called under section 29a(a) of this title, and each incumbent Member reelected to the ensuing Congress who attends any such caucus or conference convening after the adjournment sine die of the Congress in the year involved, shall be entitled to designate one staff person to be paid for one round trip between that person's place of residence, provided such place of residence is in the district which the Member-elect or incumbent Member represents, and Washington, District of Columbia, for the purpose of accompanying that Member-elect or incumbent Member to such caucus or conference.

(b) Each Member-elect (other than an incumbent Member reelected to the ensuing Congress) who attends a caucus or conference called under such section 29a(a) of this title shall be entitled to designate one staff person who shall in addition be reimbursed on a per diem or other basis for expenses incurred in accompanying the Member-elect at the time of such caucus or conference for a period not to exceed the shorter of the following—

(i) the period beginning with the day before the designated date upon which such caucus or conference is to convene and ending with the day after the date of the final adjournment of such caucus or conference; or

(ii) fourteen days.

(Pub. L. 94-59, title II, § 201, July 25, 1975, 89 Stat. 282.)

CODIFICATION

Section is based on section 1 of House Resolution No. 10, Ninety-fourth Congress, Jan. 14, 1975, which was enacted into permanent law by Pub. L. 94-59.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 43b-3 of this title.

§ 43b-3. Payments and reimbursements for certain House staff expenses

(a) Payments and reimbursements to staff persons under section 43b-2 of this title shall be made as provided (with respect to staff) in the regulations prescribed by the Committee on House Administration with respect to travel and other expenses of staff. Reimbursements shall be paid on special voucher forms pre-

scribed by the Committee on House Administration.

(b) Additional funds, if any, for staff allowances and office space for use by Members-elect (other than an incumbent Member reelected to the ensuing Congress) shall be authorized by the Committee on House Administration.

(Pub. L. 94-59, title II, § 201, July 25, 1975, 89 Stat. 282.)

CODIFICATION

Section is based on section 2 of House Resolution No. 10, Ninety-fourth Congress, Jan. 14, 1975, which was enacted into permanent law by Pub. L. 94-59.

§ 43c. Repealed. Pub. L. 89-147, § 4, Aug. 28, 1965, 79 Stat. 584

Section, Pub. L. 86-628, § 105(c), July 12, 1960, 74 Stat. 461, restricted payment of travel or subsistence expenses of Senators and Representatives to specifically authorized trips, official participation in funeral services of deceased members, and official trips originating in the Senator's State or Representative's district when Congress was not in session.

§§ 44 to 46. Omitted

CODIFICATION

Section 44, act May 7, 1906, ch. 2083, § 1, 34 Stat. 170, authorized a mileage allowance to the Delegate from Alaska, and is omitted as obsolete since Alaska was admitted into the Union with membership of one Representative in Congress on Jan. 3, 1959, upon issuance of Proc. No. 3269, Jan. 3, 1959, 24 F.R. 81, 73 Stat. c16, as required by sections 1, 7 and 8 of Pub. L. 85-508, July 7, 1958, 72 Stat. 339, set out as notes preceding section 21 of Title 48, Territories and Insular Possessions.

Section 45, acts July 1, 1902, ch. 1369, § 8, 32 Stat. 694; Aug. 29, 1916, ch. 416, § 20, 39 Stat. 552, which authorized a mileage allowance to Resident Commissioners from the Philippine Islands, and was formerly covered by section 1237 of Title 48, Territories and Insular Possessions, is no longer in force in view of the independence of the Philippine Islands effected by section 1394 of Title 22, Foreign Relations and Intercourse, and proclaimed by the President of the United States in Proc. No. 2695, July 4, 1946, 11 F.R. 7517, 60 Stat. 1352, set out as note under section 1394 of Title 22. Act Aug. 29, 1916, ch. 416, § 20, 39 Stat. 552, from which section 45 of this title was derived, was repealed by Pub. L. 89-554, § 8(a), Sept. 6, 1966, 80 Stat. 643.

Section 46, acts Mar. 2, 1917, ch. 145, § 36, 39 Stat. 963; May 17, 1932, ch. 190, 47 Stat. 158, allowed the sum of $500 as mileage for each session to the Resident Commissioner, and is omitted as superseded by section 43b-1 of this title.

§ 46a. Stationery allowance for President of the Senate

Effective April 1, 1975, and each fiscal year thereafter, the annual allowance for stationery for the President of the Senate shall be $4,500.

(July 1, 1941, ch. 268, § 1, 55 Stat. 450; June 13, 1945, ch. 189, § 1, 59 Stat. 244; June 14, 1948, ch. 467, § 101, 62 Stat. 425; Oct. 11, 1951, ch. 485, § 101, 65 Stat. 391; Aug. 1, 1953, ch. 304, title I, § 101, 67 Stat. 320; Aug. 5, 1955, ch. 568, § 1, 69 Stat. 504; Jan. 6, 1964, Pub. L. 88-258, title IV, § 401, 77 Stat. 864; May 29, 1967, Pub. L. 90-21, title I, § 101, 81 Stat. 38; Dec. 12, 1969, Pub. L. 91-145, § 101, 83 Stat. 342; July 9, 1971, Pub. L. 92-51, § 101, 85 Stat. 128; Dec. 15, 1971, Pub. L. 92-184, ch. IV, § 401, 85 Stat. 635; Oct. 31, 1972, Pub. L. 92-607, ch. V, § 506(h)(3), 86 Stat. 1508; June 12, 1975, Pub. L. 94-32, title I, § 101, 89 Stat. 182.)

CODIFICATION

Section is from Legislative Branch Appropriation Act, 1942, and subsequent Legislative Branch Appropriation Acts.

AMENDMENTS

1975—Pub. L. 94-32 substituted "Effective April 1, 1975, and each fiscal year thereafter" for "Effective with the fiscal year 1972 and thereafter" and "$4,500" for "$3,600".

1972—Pub. L. 92-607 repealed this section insofar as it related to Senators. For purposes of codification this entailed substituting a period for a comma following "President of the Senate shall be $3,600" and striking out provisions which allowed Senators from $3,600 to $5,000 annually depending on the population of the Senator's home state. See section 58 of this title.

1971—Pub. L. 92-184 added provision for an increased allowance for Senators from more populous States ranging from $3,800 for Senators from States of from 3,000,000 to 4,999,999 population to $5,000 for Senators from States of 17,000,000 population and over.

Pub. L. 92-51 provided allowance for Senators from States having population of ten million or more inhabitants of $4,000 per annum effective fiscal year 1972 and thereafter.

1969—Pub. L. 91-145 increased the allowance from $3,000 to $3,600 effective with the fiscal year 1970.

1967—Pub. L. 90-21 increased the allowance from $2,400 to $3,000 effective with the fiscal year 1967.

1964—Pub. L. 88-258 increased the allowance from $1,800 to $2,400 commencing with fiscal year 1964.

1955—Act Aug. 5, 1955, increased the allowance from $1,200 to $1,800 per annum.

1953—Act Aug. 1, 1953, increased the allowance from $800 to $1,200 per annum commencing with fiscal year 1954.

1951—Act Oct. 11, 1951, increased the allowance from $500 to $800.

1948—Act June 14, 1948, increased the allowance from $400 to $500.

1945—Act June 13, 1945, increased the allowance from $200 to $400.

EFFECTIVE DATE OF 1972 AMENDMENT

Section 506(h) of Pub. L. 92-607 provided in part that the amendment by Pub. L. 92-607 is effective Jan. 1, 1973.

ADDITIONAL ALLOWANCES

The following acts authorized additional stationery allowances for each Senator and the President of the Senate:

July 15, 1952, ch. 758, ch. II, § 201, 66 Stat. 639.
Sept. 27, 1950, ch. 1052, ch. II, § 101, 64 Stat. 1047.
Oct. 10, 1949, ch. 662, title I, § 101, 63 Stat. 738.
May 10, 1948, ch. 270, § 101, 62 Stat. 213.
May 1, 1947, ch. 49, title I, § 101, 61 Stat. 58.
July 23, 1946, ch. 491, title I, § 101, 60 Stat. 602.
Dec. 28, 1945, ch. 589, title I, § 101, 59 Stat. 633.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 58 of this title.

§ 46a-1. Senate revolving fund for stationery allowances; availability of unexpended balances; withdrawals

There is established within the Contingent Fund of the Senate a revolving fund which shall consist of (1) the unexpended balance of the appropriation "Contingent Expenses, Senate, Stationery, fiscal year 1957", (2) any amounts hereafter appropriated for stationery

allowances of the President of the Senate, and for stationery for use of committees and officers of the Senate, and (3) any undeposited amounts heretofore received, and any amounts hereafter received as proceeds of sales by the stationery room of the Senate. Any moneys in the fund shall be available until expended for use in the same manner and for the same purposes as funds heretofore appropriated to the Contingent Fund of the Senate for stationery, except that (1) the balance of any amount appropriated for stationery for use of committees and officers of the Senate which remains unexpended at the end of any fiscal year and (2) allowances which are not available for obligation due to vacancies or waiver of entitlement thereto, shall be withdrawn from the revolving fund.

(Pub. L. 85-58, ch. XI, § 1101, June 21, 1957, 71 Stat. 188; Pub. L. 92-607, ch. V, § 506(i), Oct. 31, 1972, 86 Stat. 1508.)

AMENDMENTS

1972—Pub. L. 92-607 struck out "and of Senators" following "the President of the Senate".

EFFECTIVE DATE OF 1972 AMENDMENT

Section 506(i) of Pub. L. 92-607 provided in part that the amendment of this section is effective Jan. 1, 1973.

§ 46a-2. Omitted

CODIFICATION

Section, Pub. L. 89-545, § 101, Aug. 27, 1966, 80 Stat. 356, provided, effective fiscal year 1967 and thereafter, for stationery allowance of $3,000 per annum for Senators from States having population of 10 million or more inhabitants, and is now covered in amendment by Pub. L. 90-21 to section 46a of this title providing such an allowance to all Senators effective fiscal year 1967 and thereafter.

§ 46a-3. Repealed. Pub. L. 92-607, ch. V, § 506(h)(4), Oct. 31, 1972, 86 Stat. 1508

Section, Pub. L. 90-417, § 106, July 23, 1968, 82 Stat. 413, placed limits on the availability of the stationery allowance for Senators. See section 58 of this title.

EFFECTIVE DATE OF REPEAL

Section 506(h) of Pub. L. 92-607, as amended by Pub. L. 93-145, § 101, Nov. 1, 1973, 87 Stat. 532, provided in part that, insofar as this section has application to Senators, the repeal of this section is effective Jan. 1, 1973.

§ 46a-4. Omitted

CODIFICATION

Section, Pub. L. 91-145, § 101, Dec. 12, 1969, 83 Stat. 342, made section 46a-3 of this title applicable to the President of the Senate, and is omitted in view of the repeal of section 46a-3.

§ 46b. Stationery allowance for Representatives, Delegates, and Resident Commissioner

The allowance for stationery for each Member of the House of Representatives, Delegate, and Resident Commissioner shall be $3,000 per regular session.

(July 2, 1954, ch. 455, title I, § 101, 68 Stat. 402; July 12, 1960, Pub. L. 86-628, § 101, 74 Stat. 452; Aug. 20, 1964, Pub. L. 88-454, § 103, 78 Stat. 550; May 29, 1967, Pub. L. 90-21, title I, § 101, 81 Stat. 42.)

AMENDMENTS

1967—An additional allowance of $600 for stationery was authorized by House Resolution No. 1029, Oct. 5, 1966, which was continued by House Resolution No. 112, Mar. 8, 1967, and enacted into permanent law by Pub. L. 90-21.

1964—An additional allowance of $600 for stationery was authorized by House Resolution No. 533, Oct. 2, 1963, which was enacted into permanent law by Pub. L. 88-454.

1960—Pub. L. 86-628 increased the stationery allowance from $1,200 to $1,800.

DELEGATE FROM DISTRICT OF COLUMBIA

Provisions of this section applicable, effective Sept. 22, 1970, with respect to Delegate to House of Representatives from District of Columbia in same manner and to same extent as applicable with respect to a Representative, see sections 204(a), 206(b) of Pub. L. 91-405, title II, Sept. 22, 1970, 84 Stat. 852, set out as notes under section 25 of this title.

CROSS REFERENCES

Adjustment of allowances by Committee on House Administration, see section 57 of this title.

SECTION REFERRED TO IN D.C. CODE

This section is referred to in section 1-292 of the District of Columbia Code.

§ 46b-1. House revolving fund for stationery allowances; disposition of moneys from stationery sales; availability of unexpended balances

There is established a revolving fund for the purpose of administering the funds appropriated for stationery allowances to each Representative, Delegate, the Resident Commissioner from Puerto Rico; and stationery for use of the committees, departments, and officers of the House. All moneys hereafter received by the stationery room of the House of Representatives from the sale of stationery supplies and other equipment shall be deposited in the revolving fund and shall be available for disbursement from the fund in the same manner as other sums that may be appropriated by the Congress for this purpose. The unexpended balance of all moneys heretofore received by the stationery room of the House of Representatives from the sale of stationery supplies and equipment shall be deposited in the Treasury of the United States to the credit of the fund: *Provided*, That the unexpended balances in the appropriations "Contingent expenses, House of Representatives, stationery, 1945-1946"; "Contingent expenses, House of Representatives, stationery, 1946"; "Contingent expenses, House of Representatives, stationery, 1947-48", as of June 30, 1947, shall be transferred to and made available for expenditure out of the fund, together with appropriations herein or hereafter made therefor, to remain available until expended.

(July 17, 1947, ch. 262, § 101, 61 Stat. 366.)

DELEGATE FROM DISTRICT OF COLUMBIA

Provisions of this section applicable, effective Sept. 22, 1970, with respect to Delegate to House of Representatives from District of Columbia in same manner and to same extent as applicable with respect to a Representative, see sections 204(a), 206(b) of Pub. L. 91-405, title II, Sept. 22, 1970, 84 Stat. 852, set out as notes under section 25 of this title.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 46b-2 of this title.

SECTION REFERRED TO IN D.C. CODE

This section is referred to in section 1-292 of the District of Columbia Code.

§ 46b-2. Prorated stationery allowance for Representatives, Delegates, and Resident Commissioner

In the case of any Member of the House of Representatives, Delegate, or Resident Commissioner who is elected for a portion of a term, the amount of stationery allowance which such Member, Delegate, or Resident Commissioner shall be paid shall be an amount, with respect to the year in which he commences his service, which is the same percentage of the total stationery allowance payable for service for all of such year as the number of months of his service in such year (counting the month in which he is elected as one month) is of the total number of months in such year. Such prorated stationery allowance shall be paid from the contingent fund of the House into the revolving fund for stationery allowances established in section 46b-1 of this title.

(Feb. 27, 1956, ch. 73, 70 Stat. 31.)

DELEGATE FROM DISTRICT OF COLUMBIA

Provisions of this section applicable, effective Sept. 22, 1970, with respect to Delegate to House of Representatives from District of Columbia in same manner and to same extent as applicable with respect to a Representative, see sections 204(a), 206(b) of Pub. L. 91-405, title II, Sept. 22, 1970, 84 Stat. 852, set out as notes under section 25 of this title.

SECTION REFERRED TO IN D.C. CODE

This section is referred to in section 1-292 of the District of Columbia Code.

§§ 46c, 46d. Repealed. Pub. L. 90-57, § 101, July 28, 1967, 81 Stat. 129

Section 46c, acts June 13, 1945, ch. 189, § 1, 59 Stat. 244; July 1, 1946, ch. 530, § 101, 60 Stat. 392; Aug. 2, 1946, ch. 753, title I, § 102, 60 Stat. 814; Nov. 1, 1951, ch. 665, ch. 1, § 101, 65 Stat. 760; Aug. 1, 1953, ch. 304, title I, § 101, 67 Stat. 321; June 27, 1956, ch. 453, § 101, 70 Stat. 360; Jan. 6, 1964, Pub. L. 88-258, title IV, § 401, 77 Stat. 863; July 27, 1965, Pub. L. 89-90, § 101, 79 Stat. 268; Aug. 27, 1966, Pub. L. 89-545, § 101, 80 Stat. 357, provided for payment of long-distance telephone calls for Senators and Vice President made to and from Washington, D.C. See section 58 of this title.

Section 46d, acts June 13, 1945, ch. 189, § 1, 59 Stat. 244; July 1, 1946, ch. 530, § 101, 60 Stat. 392; Aug. 2, 1946, ch. 753, title I, § 102, 60 Stat. 814; Aug. 1, 1953, ch. 304, title I, § 101, 67 Stat. 321; July 2, 1954, ch. 455, title I, § 101, 68 Stat. 400; July 31, 1958, Pub. L. 85-570, § 101, 72 Stat. 442; July 27, 1965, Pub. L. 89-90, § 101, 79 Stat. 268, provided for payment from contingent fund of the Senate of long-distance telephone calls for Senators, originating and terminating outside Washington, D.C., and additional payments for calls to or from Washington, D.C. See section 58 of this title.

EFFECTIVE DATE OF REPEAL

Section 101 of Pub. L. 90-57 provided in part for the repeal of sections 46c, 46d, and 46d-2 of this title, effective Jan. 1, 1968.

§ 46d-1. Long-distance telephone calls for Vice President

Commencing January 20, 1949, the provisions of existing law relating to long-distance telephone calls for Senators shall be equally applicable to the Vice President of the United States.

(May 24, 1949, ch. 138, title I, § 101, 63 Stat. 77.)

§ 46d-2. Repealed. Pub. L. 90-57, § 101, July 28, 1967, 81 Stat. 130

Section, Pub. L. 89-90, § 101, July 27, 1965, 79 Stat. 268, provided for computation of long-distance telephone calls for Senators, wide area telephone service contracts, and effective date of changes, and is now covered by section 58 of this title.

EFFECTIVE DATE OF REPEAL

Repeal of section by Pub. L. 90-57 effective Jan. 1, 1968, see note set out under former section 46c of this title.

§ 46d-3. Repealed. Pub. L. 92-184, ch. IV, § 401, Dec. 15, 1971, 85 Stat. 635

Section, Pub. L. 90-21, title I, § 101, May 29, 1967, 81 Stat. 38, made the contingent fund of the Senate available for the reimbursement of each Senator of strictly official telephone service charges incurred outside the District of Columbia up to $300 in each fiscal quarter. See section 58 of this title.

EFFECTIVE DATE OF REPEAL

Section 401 of Pub. L. 92-184 provided in part that the repeal of this section is effective Jan. 1, 1972.

§ 46d-4. Repealed. Pub. L. 92-607, ch. V, § 506(h)(5), Oct. 31, 1972, 86 Stat. 1508

Section, Pub. L. 90-57, § 101, July 28, 1967, 81 Stat. 130, authorized the payment from the contingent fund of the Senate of charges for long distance telephone calls by Senators. See section 58 of this title.

EFFECTIVE DATE OF REPEAL

Section 506(h) of Pub. L. 92-506 provided in part that the repeal of this section is effective Jan. 1, 1973.

§ 46d-5. Repealed. Pub. L. 92-342, § 101, July 10, 1972, 86 Stat. 435

Section, Pub. L. 91-382, § 101, Aug. 18, 1970, 84 Stat. 810, related to the reimbursement to Senators and President of the Senate of official telephone and telegraph communications charges incurred by them or on their behalf out of the contingent fund of the Senate up to a maximum of $150 per annum.

EFFECTIVE DATE OF REPEAL

Section 101 of Pub. L. 92-342 provided in part that repeal of this section shall be effective July 1, 1972.

§ 46e. Repealed. Pub. L. 92-607, ch. V, § 506(h)(6), Oct. 31, 1972, 86 Stat. 1508

Section, acts July 1, 1946, ch. 530, § 101, 60 Stat. 392; Aug. 2, 1946, ch. 753, title I, § 102, 60 Stat. 814, authorized the payment of charges for telegrams by Senators. See section 58 of this title.

EFFECTIVE DATE OF REPEAL

Section 506(h) of Pub. L. 92-607 provided in part that the repeal of this section is effective Jan. 1, 1973.

§ 46f. Omitted

CODIFICATION

Section, acts June 23, 1949, ch. 238, § 1, 63 Stat. 264; May 29, 1951, ch. 117, § 1, 65 Stat. 47; Mar. 10, 1953, ch. 6, § 1, 67 Stat. 5; Feb. 27, 1956, ch. 74, § 1, 70 Stat. 31; Sept. 21, 1959, Pub. L. 86-340, § 1, 73 Stat. 605, related to telephone, telegraph, and radiotelegraph allowances for Representatives, Delegates, and the Resident Commissioner, and is omitted as superseded by section 46g of this title.

§ 46f-1. Repealed. Feb. 27, 1956, ch. 74, § 2(b), 70 Stat. 32

Section, act July 2, 1954, ch. 455, title I, § 101, 68 Stat. 402, fixed the maximum minute allowance on long distance telephone calls of House Members, Delegates, and Resident Commissioner.

EFFECTIVE DATE OF REPEAL

Repeal of section was effective as of noon on Jan. 3, 1956, pursuant to section 3 of act Feb. 27, 1956.

§ 46g. Telephone, telegraph, and radiotelegraph allowances for Representatives, Delegates, and Resident Commissioner

Until otherwise provided by law, there shall be paid out of the contingent fund of the House of Representatives, in accordance with regulations prescribed by the Committee on House Administration, such amounts as may be necessary to pay—

(1) toll charges on strictly official long-distance telephone calls, and

(2) charges on strictly official telegrams, cablegrams, and radiograms,

made or sent by or on behalf of each Member of the House of Representatives (including the Resident Commissioner from Puerto Rico), other than the Speaker, the majority leader, the minority leader, the majority whip, and the minority whip, aggregating not to exceed seventy thousand units for each session of the House of Representatives, except that, if a Member or Resident Commissioner is elected for a portion of a term, the aggregate number of units to which he is entitled under this section for each portion of a session served by him which is less than a full session shall be a number which is the same percentage of seventy thousand as the number of days of his service in such session less than a full session is of the total number of days of the full session. Such units (including any units less than one hundred and forty thousand to the credit of a Member or Resident Commissioner at the close of the Eighty-ninth Congress) shall accumulate and be available for use by each such Member and Resident Commissioner, from session to session and from term to term (if sessions and terms are consecutive), until the aggregate number of such units to the credit of each such Member or Resident Commissioner at the close of each session is not more than one hundred and forty thousand units; but all units in excess of one hundred and forty thousand at such time shall be forfeited and unavailable for use by such Member or Resident Commissioner. For the purposes of this section—

(A) one minute of a long-distance telephone call shall be four units,

(B) one word of a telegram, cablegram, or radiogram shall be one unit, except that one word of a night letter shall be one-half unit,

(C) the word "session" means the period beginning at noon on January 3 of each calendar year and ending at noon on January 3 of the immediately following calendar year, and

(D) the word "term" means the period beginning at noon on January 3 of each odd-numbered calendar year and ending at noon on January 3 of the next succeeding odd-number calendar year.

(June 23, 1949, ch. 238, § 2, 63 Stat. 265; May 29, 1951, ch. 117, § 1, 65 Stat. 47; July 8, 1952, ch. 590, § 1, 66 Stat. 443; Mar. 10, 1953, ch. 6, § 1, 67 Stat. 5; Feb. 27, 1956, ch. 74, § 2(a), (c), 70 Stat. 32; Sept. 4, 1957, Pub. L. 85-289, § 1, 71 Stat. 614; Sept. 21, 1959, Pub. L. 86-340, § 2, 73 Stat. 605; Dec. 30, 1963, Pub. L. 88-244, § 103, 77 Stat. 817; Aug. 20, 1964, Pub. L. 88-454, § 103, 78 Stat. 550; Aug. 21, 1965, Pub. L. 89-131, § 1, 79 Stat. 544; Oct. 27, 1966, Pub. L. 89-697, ch. VI, § 601, 80 Stat. 1064.)

AMENDMENTS

1966—The number of units authorized was increased to 70,000 for each session from the prior authorization of 100,000 for each term, accumulation of units was permitted, and provisions were added to count one word of a night letter as one-half unit and to define "session" by House Resolution No. 901, June 29, 1966, which was enacted into permanent law by Pub. L. 89-697.

1965—Pub. L. 89-131 substituted "four units" for "five units" in cl. (1).

1964—Payment of charges for telephone calls, telegrams, cablegrams, and radiograms for an additional ten thousand units during a term was authorized by House Resolution No. 531, Oct. 2, 1963, which was enacted into permanent law by Pub. L. 88-454.

1963—Payment of charges for telephone calls, telegrams, cablegrams, and radiograms for an additional ten thousand units during a term was authorized by House Resolution No. 735, July 25, 1962, which was enacted into permanent law by Pub. L. 88-244.

1959—Pub. L. 86-340 designated the first par. of existing provisions as subsec. (a) and changed therein the six thousand minute telephone allowance and the forty thousand word telegraph allowance for each Congress to an aggregate eighty thousand units telephone and telegraph allowance, added subsec. (b) and designated the second par. of existing provisions as subsec. (c).

1957—Pub. L. 85-289 authorized payment for 6,000 minutes of long-distance telephone calls, 40,000 words in official telegrams, cablegrams, and radiograms, and 4,000 words in telegrams, cablegrams, and radiograms sent to or from a point outside the United States, and substituted the definition of "term" for the definition of "year".

1956—Act Feb. 27, 1956, authorized payment of 3,000 minutes of long-distance telephone calls made by Members each year, and charges on official telegrams, cablegrams and radiograms aggregating not more than 20,000 words per year, and limited the amount of telegrams, cablegrams and radiograms that may be sent to or from a point outside the United States, or its Territories or possessions.

1953—Act Mar. 10, 1953, removed the monthly limitations on official telephone calls and telegrams of Members without affecting the annual limitations, and to define "year".

1952—Act July 8, 1952, allowed Members to use accumulated minutes and words at any subsequent time during the Congress in which they accumulate.

1951—Act May 29, 1951, changed the limitation from $500 per year to 150 minutes per month for telephone calls and 1000 words per month for telegrams.

EFFECTIVE DATE OF 1965 AMENDMENT

Section 2 of Pub. L. 89-131 provided that: "The amendment made by the first section of this Act [to subsec. (b) of this section] shall take effect as of noon, January 3, 1965."

EFFECTIVE DATE OF 1959 AMENDMENT

Amendment by Pub. L. 86-340 effective as of noon on Jan. 3, 1959, pursuant to section 3 of Pub. L. 86-340.

EFFECTIVE DATE OF 1957 AMENDMENT

Section 2 of Pub. L. 85-289 provided that the amendment of this section by section 1 of Pub. L. 85-289 shall take effect as of noon, Jan. 3, 1957.

EFFECTIVE DATE OF 1956 AMENDMENT

Amendment by act Feb. 27, 1956, effective as of noon on Jan. 3, 1956, pursuant to section 3 of act Feb. 27, 1956.

EFFECTIVE DATE OF 1953 AMENDMENT

Amendment by act Mar. 10, 1953 effective Jan. 3, 1953, pursuant to section 2 of act Mar. 10, 1953.

EFFECTIVE DATE OF 1952 AMENDMENT

Section 2 of act July 8, 1952, provided that amendment of section shall take effect as of July 1, 1951.

EFFECTIVE DATE OF 1951 AMENDMENT

Amendment by act May 29, 1951, effective July 1, 1951, pursuant to section 4 of act May 29, 1951.

DELEGATE FROM DISTRICT OF COLUMBIA

Provisions of this section applicable, effective Sept. 22, 1970, with respect to Delegate to House of Representatives from District of Columbia in same manner and to same extent as applicable with respect to a Representative, see sections 204(a), 206(b) of Pub. L. 91-405, title II, Sept. 22, 1970, 84 Stat. 852, set out as notes under section 25 of this title.

CROSS REFERENCES

Adjustment of allowances by Committee on House Administration, see section 57 of this title.

Member as used in this section includes a Representative in Congress, a Delegate, and the Resident Commissioner from Puerto Rico, see section 46i of this title.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 46i of this title.

SECTION REFERRED TO IN D.C. CODE

This section is referred to in section 1-292 of the District of Columbia Code.

§ 46g-1. Telephone allowances for Representatives, Resident Commissioner from Puerto Rico, and Delegate from the District of Columbia for strictly official telephone service

(a) Effective as of April 1, 1971, until otherwise provided by law, the Clerk of the House of Representatives shall reimburse, from the contingent fund of the House—

(1) each Member of the House of Representatives and the Resident Commissioner from Puerto Rico in an amount not more than $450 quarterly for charges for strictly official telephone service incurred outside the District of Columbia; and

(2) the Delegate from the District of Columbia in an amount not more than $450 quarterly for charges for strictly official telephone service incurred within the District of Columbia.

(b) Any unused portion of each quarterly allowance provided by this section shall lapse. The Committee on House Administration shall make such rules and regulations as the committee considers necessary to carry out this section. The amounts provided by this section shall be in addition to any other amounts provided by law which may be available for payment of charges described in subsection (a) of this section.

(Pub. L. 92-184, ch. IV, § 401, Dec. 15, 1971, 85 Stat. 636.)

CODIFICATION

Section is based on section 1 of House Resolution No. 418, May 18, 1971, which was enacted into permanent law by Pub. L. 92-184. Section 2 of the Resolution is classified to section 56 of this title.

PRIOR PROVISIONS

A prior section, based on House Resolution No. 161, which was enacted into permanent law by Pub. L. 90-392, title I, § 101, July 9, 1968, 82 Stat. 318, was repealed by section 3 of House Resolution No. 418. The repeal was effective on Dec. 15, 1971, the date of enactment of the provisions of House Resolution No. 418 as permanent law.

CROSS REFERENCES

Adjustment of allowances by Committee on House Administration, see section 57 of this title.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 31b-3 of this title.

§ 46h. Repealed. May 29, 1951, ch. 117, § 2, 65 Stat. 47, eff. July 1, 1951

Section, act June 23, 1949, ch. 238, § 3, 63 Stat. 265, related to limitation on charging telegrams to official business of the House, and is now covered by section 46g of this title.

§ 46i. Definitions

As used in section 46g of this title, the term "Member" or "Member of the House of Representatives" includes a Representative in Congress, a Delegate from a Territory, and the Resident Commissioner from Puerto Rico.

(June 23, 1949, ch. 238, § 6, 63 Stat. 265; May 29, 1951, ch. 117, § 3, 65 Stat. 47.)

AMENDMENTS

1951—Act May 29, 1951, omitted the definition of "State".

EFFECTIVE DATE OF 1951 AMENDMENT

Amendment by act May 29, 1951, effective July 1, 1951, pursuant to section 4 of act May 29, 1951.

§ 47. Mode of payment

The compensation of Members and Delegates shall be passed as public accounts, and paid out of the public Treasury.

(R.S. § 46.)

PRIOR PROVISIONS

Acts Jan. 22, 1818, ch. 5, § 3, 3 Stat. 404 and Feb. 10, 1854, ch. 11, § 1, 10 Stat. 267.

DELEGATE FROM DISTRICT OF COLUMBIA

Provisions of this section applicable, effective Sept. 22, 1970, with respect to Delegate to House of Repre-

sentatives from District of Columbia in same manner and to same extent as applicable with respect to a Representative, see sections 204(a), 206(b) of Pub. L. 91-405, title II, Sept. 22, 1970, 84 Stat. 852, set out as notes under section 25 of this title.

SECTION REFERRED TO IN D.C. CODE

This section is referred to in section 1-292 of the District of Columbia Code.

§ 48. Certification of salary and mileage accounts

Salary and mileage accounts of Senators shall be certified by the President of the Senate, and those of Representatives and Delegates by the Speaker of the House of Representatives; and such certificates shall be conclusive upon all the departments and officers of the Government.

(R.S. §§ 47, 48; July 28, 1866, ch. 296, § 17, 14 Stat. 323; Jan. 20, 1874, ch. 11, 18 Stat. 4.)

CODIFICATION

R.S. § 47 constitutes first clause and R.S. § 48 constitutes remainder.

PRIOR PROVISIONS

R.S. § 47 from acts July 28, 1866, ch. 296, § 17, 14 Stat. 323 and Jan. 22, 1818, ch. 5, § 3, 3 Stat. 404.
R.S. § 48 from act Sept. 30, 1850, ch. 90, § 1, 9 Stat. 523.

DELEGATE FROM DISTRICT OF COLUMBIA

Provisions of this section applicable, effective Sept. 22, 1970, with respect to Delegate to House of Representatives from District of Columbia in same manner and to same extent as applicable with respect to a Representative, see sections 204(a), 206(b) of Pub. L. 91-405, title II, Sept. 22, 1970, 84 Stat. 852, set out as notes under section 25 of this title.

CROSS REFERENCES

Speaker authorized to designate a substitute in his office to sign certificates for salary and accounts, see section 50 of this title.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 50 of this title.

SECTION REFERRED TO IN D.C. CODE

This section is referred to in section 1-292 of the District of Columbia Code.

§ 49. Certificate of salary during recess

The Clerk of the House of Representatives is authorized and directed to sign, during the recess of Congress after the first session and until the first day of the second session, the certificates for the monthly compensation of Members and Delegates in Congress, which certificate shall be in the form in use on August 15, 1876, and shall have the like force and effect as is given to the certificate of the Speaker.

(Aug. 15, 1876, ch. 287, § 1, 19 Stat. 145.)

DELEGATE FROM DISTRICT OF COLUMBIA

Provisions of this section applicable, effective Sept. 22, 1970, with respect to Delegate to House of Representatives from District of Columbia in same manner and to same extent as applicable with respect to a Representative, see sections 204(a), 206(b) of Pub. L. 91-405, title II, Sept. 22, 1970, 84 Stat. 852, set out as notes under section 25 of this title.

SECTION REFERRED TO IN D.C. CODE

This section is referred to in section 1-292 of the District of Columbia Code.

§ 50. Substitute to sign certificates for salary and accounts

The Speaker is authorized to designate from time to time some one from among those appointed by him and appropriated for and employed in his office, whose duty it shall be under the direction of the Speaker to sign in his name and for him all certificates required by section 48 of this title for salary and accounts for traveling expenses in going to and returning from Congress of Representatives and Delegates.

(Nov. 12, 1903, P. Res. No. 1, 33 Stat. 1.)

DELEGATE FROM DISTRICT OF COLUMBIA

Provisions of this section applicable, effective Sept. 22, 1970, with respect to Delegate to House of Representatives from District of Columbia in same manner and to same extent as applicable with respect to a Representative, see sections 204(a), 206(b) of Pub. L. 91-405, title II, Sept. 22, 1970, 84 Stat. 852, set out as notes under section 25 of this title.

SECTION REFERRED TO IN D.C. CODE

This section is referred to in section 1-292 of the District of Columbia Code.

§ 51. Monuments to deceased Senators or Members of House

Whenever any deceased Senator or Member of the House of Representatives shall be actually interred in the Congressional Cemetery, so-called, it shall be the duty of the Sergeant at Arms of the Senate, in the case of a Senator, and of the Sergeant at Arms of the House of Representatives, in the case of a Member of the House, to have a monument erected, of granite, with suitable inscriptions, and the cost of the same shall be a charge upon and paid out either from the contingent funds of the Senate or of the House of Representatives, to whichever the deceased may have belonged, and any existing omissions of monuments or inscriptions, as aforesaid, are directed and authorized to be supplied in like manner.

(May 23, 1876, ch. 103, 19 Stat. 54.)

§§ 52, 53. Repealed. Pub. L. 92-607, ch. V, § 506(h)(7), Oct. 31, 1972, 86 Stat. 1508

Section 52, Pub. L. 92-184, ch. IV, § 401, Dec. 15, 1971, 85 Stat. 634, provided for office space for Senators in their home states. See section 58 of this title.
Section 53, Pub. L. 92-184, ch. IV, § 401, Dec. 15, 1971, 85 Stat. 634, provided for the payment of office expenses of Senators in their home states. See section 58 of this title.

EFFECTIVE DATE OF REPEAL

Section 506(h) of Pub. L. 92-607 provided in part that the repeal of these sections is effective Jan. 1, 1973.

§ 54. United States Code Annotated or Federal Code Annotated; procurement for Members and Resident Commissioner

(a) Subject to subsection (b) of this section, the Clerk of the House of Representatives shall procure for and furnish to each Member of the House of Representatives and the Resident

Commissioner from Puerto Rico, either one complete set of the current volumes of the United States Code Annotated, and the current pocket parts thereof, published by the West Publishing Company, Saint Paul, Minnesota, and the Edward Thompson Company, Mineola, New York, or one complete set of the current volumes of the Federal Code Annotated, and the current pocket parts thereof, published by the Bobbs-Merrill Company, Incorporated, a subsidiary of Howard W. Sams and Company, Incorporated, Indianapolis, Indiana, and New York, New York, as such Member or Resident Commissioner may elect, upon his written application to the Clerk containing his certification that the volumes and pocket parts thereof for which he applies are intended for his personal use exclusively. The complete set of the volumes and pocket parts thereof for which the Member or Resident Commissioner applies shall be furnished on a current basis for the continuous period of his service as Member or Resident Commissioner beginning immediately after his application therefor, irrespective of the number of his terms of office covered by such period of service, and his selection of the set of such volumes and pocket parts may not be changed during such period of service. A Member and the Resident Commissioner is entitled to apply for and receive a set of volumes and pocket parts under this authorization after each break in his service as Member or Resident Commissioner.

(b) A Member or the Resident Commissioner is not entitled, for the continuous period of his service described in subsection (a) of this section, to more than one copy of each of the current volumes, and the current pocket parts thereof, for which he applies under this authorization or, after the close of the Ninetieth Congress, to receive a set of volumes and pocket parts under this authorization and a set of the Code of Laws of the United States, and supplements thereto, under section 212 of title 1.

(c) Until otherwise provided by law, there shall be paid out of the contingent fund of the House of Representatives such sums as may be necessary to carry out this authorization.

(d) The Committee on House Administration is authorized to prescribe such regulations as may be necessary to carry out this authorization.

(Pub. L. 90-392, title I, § 101, July 9, 1968, 82 Stat. 318.)

CODIFICATION

Section is based on House Resolution No. 506, Aug. 21, 1967, which was enacted into permanent law by Pub. L. 90-392.

DELEGATE FROM DISTRICT OF COLUMBIA

Provisions of this section applicable, effective Sept. 22, 1970, with respect to Delegate to House of Representatives from District of Columbia in same manner and to same extent as applicable with respect to a Representative, see sections 204(a), 206(b) of Pub. L. 91-405, title II, Sept. 22, 1970, 84 Stat. 852, set out as notes under section 25 of this title.

CROSS REFERENCES

Adjustment of allowances by Committee on House Administration, see section 57 of this title.

SECTION REFERRED TO IN D.C. CODE

This section is referred to in section 1-292 of the District of Columbia Code.

§ 55. United States Code Annotated or United States Code Service; procurement for Senators

In lieu of the volumes of the Code of Laws of the United States, and the supplements thereto, supplied a Senator under section 212 of title 1, the Secretary of the Senate is authorized and directed to supply to a Senator upon written request of, and as specified by, that Senator—

(1) one copy of each of the volumes of the United States Code Annotated being published at the time the Senator takes office, and, as long as that Senator holds office, one copy of each replacement volume, each annual pocket part, and each pamphlet supplementing each such pocket part to the United States Code Annotated; or

(2) one copy of each of the volumes of the United States Code Service being published at the time the Senator takes office, and, as long as the Senator holds office, one copy of each replacement volume and each pocket supplement to the United States Code Service.

A Senator is entitled to make a written request under this paragraph and be supplied such volumes, pocket parts, and supplements the first time he takes office as a Senator and each time thereafter he takes office as a Senator after a period of time during which he has not been a Senator. In submitting such written request, the Senator shall certify that the volumes, pocket parts, or supplements he is to be supplied are to be for his exclusive, personal use. A Senator holding office on July 9, 1971, shall be entitled to file a written request and receive the volumes, pocket parts, and supplements, as the case may be, referred to in this paragraph if such request is filed within 60 days after July 9, 1971. Expenses incurred under this authorization shall be paid from the contingent fund of the Senate.

(Pub. L. 92-51, § 101, July 9, 1971, 85 Stat. 129; Pub. L. 92-607, ch. V, § 501, Oct. 31, 1972, 86 Stat. 1504.)

AMENDMENTS

1972—Pub. L. 92-607 substituted "United States Code Service" for "Federal Code Annotated" in two instances.

§ 56. Office expenses within the District of Columbia of the Delegate from the District of Columbia

Effective as of April 1, 1971, until otherwise provided by law, the Clerk of the House of Representatives shall reimburse the Delegate from the District of Columbia, from the contingent fund of the House, in an amount not more than $300 quarterly, upon certification of the Delegate, for official office expenses incurred within the District of Columbia.

(Pub. L. 92-184, ch. IV, § 401, Dec. 15, 1971, 85 Stat. 636.)

CODIFICATION

Section is based on section 2 of House Resolution No. 418, May 18, 1971, which was enacted into permanent law by Pub. L. 92-184.

CROSS REFERENCES

Adjustment of allowances by Committee on House Administration, see section 57 of this title.

§ 57. Adjustment of allowances by Committee on House Administration

(a) Until otherwise provided by law, the Committee on House Administration may, as the committee considers appropriate, fix and adjust from time to time, by order of the committee, the amounts of allowances (including the terms, conditions, and other provisions pertaining to those allowances) within the following categories:

(1) for Members of the House of Representatives, the Resident Commissioner from Puerto Rico, and the Delegate from the District of Columbia—allowances for clerk hire, postage stamps, stationery, telephone and telegraph and other communications, official office space and official office expenses in the congressional district represented (including, as applicable, a State, the Commonwealth of Puerto Rico, and the District of Columbia), official telephone services in the congressional district represented, and travel and mileage to and from the congressional district represented; and

(2) for the standing committees, the Speaker, the majority and minority leaders, the majority and minority whips, the Clerk, the Sergeant at Arms, the Doorkeeper, and the Postmaster of the House of Representatives—allowances for postage stamps, stationery, and telephone and telegraph and other communications.

(b) The contingent fund of the House of Representatives is made available to carry out the purposes of this section.

(Pub. L. 92-184, ch. IV, § 401, Dec. 15, 1971, 85 Stat. 636.)

CODIFICATION

Section is based on House Resolution No. 457, May 27, 1971, which was enacted into permanent law by Pub. L. 92-184.

COMMITTEE ORDER NO. 1 (REVISED)[1]

Resolved, that effective January 25, 1972, each Member of the House of Representatives shall be entitled to office space suitable for his use in the district he represents at such places designated by him in such district. The Sergeant at Arms shall secure office space satisfactory to the Member in post offices or Federal buildings at not more than two (2) locations if such space is available. Office space to which a Member is entitled under this resolution which is not secured by the Sergeant at Arms may be secured by the Member, and the Clerk shall approve for payment from the contingent fund of the House of Representatives vouchers covering bona fide statements of amounts due for office space not exceeding a total allowance to each Member of $200 per month; but if a Member certifies to the Committee on House Administration that he is unable to obtain suitable space in his district for $200 per month due to high rental rates or other factors, the Committee on House Administration may, as the Committee considers appropriate, direct the Clerk to approve for payment from the contingent fund of the House of Representatives vouchers covering bona fide statements of amounts due for suitable office space not exceeding a total allowance to each Member of $350 per month. Members shall be entitled to have no more than three (3) district offices outfitted with office equipment, carpeting, and draperies at the expense of the General Services Administration.

As used in this resolution the term "Member" means any Member of the House of Representatives, the Resident Commissioner of Puerto Rico, and the Delegate of the District of Columbia.

[1] Rescinded. See Committee Order No. 12.

COMMITTEE ORDER NO. 2 (REVISED)

Resolved, that effective January 3, 1973, until otherwise provided by order of the Committee on House Administration:

(a) The contingent fund of the House of Representatives is made available for reimbursement of transportation expenses incurred by Members (including the Resident Commissioner from Puerto Rico) in traveling on official business, by the nearest usual route, between Washington, District of Columbia, and any point in the district which he represents, for not more than 36 round trips during each Congress, such reimbursement to be made in accordance with rules and regulations established by the Committee on House Administration of the House of Representatives.

(b) The contingent fund of the House of Representatives is made available for reimbursement of transportation expenses incurred by employees in the office of a Member (including the Resident Commissioner from Puerto Rico) for not more than 6 round trips during any Congress between Washington, District of Columbia and any point in the Congressional district represented by the Member. Such payment shall be made only upon vouchers approved by the Member, containing a certification by him that such travel was performed on official duty. The Committee on House Administration shall make such rules and regulations as may be necessary to carry out this section.

(c) A Member of the House of Representatives (including the Resident Commissioner from Puerto Rico) may elect to receive in any Congress, in lieu of reimbursement of transportation expenses for such Congress is authorized in paragraph (a) above, a lump sum transportation payment of $2,250 for each Congress. The Committee on House Administration of the House of Representatives shall make such rules and regulations as may be necessary to carry out this section.

(d) This order shall not affect any allowance for travel of Members of the House of Representatives (including the Resident Commissioner from Puerto Rico) which is authorized to be paid from funds other than the contingent fund of the House of Representatives.

COMMITTEE ORDER NO. 3

Resolved, that effective March 1, 1972, until otherwise provided by order of the Committee on House Administration, each Member of the House of Representatives, the Resident Commissioner from Puerto Rico, and the Delegate from the District of Columbia shall be entitled to an annual clerk hire allowance of $157,092 for not to exceed 16 clerks. There shall be paid out of the contingent fund of the House of Representatives such sums as may be necessary to carry out this order until otherwise provided by law.

COMMITTEE ORDER NO. 4

Resolved, that effective January 3, 1973, until otherwise provided by order of the Committee on House Administration; the allowance for stationery for each Member of the House of Representatives, Delegates, and Resident Commissioner shall be $4,250 per regular session.

COMMITTEE ORDER NO. 5

Resolved, that effective May 1, 1973, until otherwise provided by order of the Committee on House Administration upon written request to the Committee on House Administration, a Member, the Resident Commissioner from Puerto Rico, or a Delegate to the

House of Representatives may employ in lieu of 1 of the 16 clerks allowed under his clerk hire allowance, a research assistant at such salary as the Member may designate. The Member's annual clerk hire allowance will then be increased at the rate of $20,000.

There shall be paid out of the contingent fund of the House of Representatives such sums as may be necessary to carry out this order until otherwise provided by law.

COMMITTEE ORDER NO. 6

Resolved, that effective May 1, 1973, until otherwise provided by order of the Committee on House Administration, upon written request to the Committee on House Administration, a Member, the Resident Commissioner from Puerto Rico or a Delegate to the House of Representatives may allocate up to $250 a month of any unused portion of his clerk hire allowance for the leasing of equipment necessary for the conduct of his office.

There shall be paid out of the contingent fund of the House of Representatives such sums as may be necessary to carry out this order until otherwise provided by law.

COMMITTEE ORDER NO. 7

Resolved, that effective October 1, 1973, until otherwise provided by Order of the Committee on House Administration the quarterly allowance for official telephone service outside the District of Columbia for Members, Delegates, and the Resident Commissioner from Puerto Rico is increased from $450 quarterly to $600 quarterly.

COMMITTEE ORDER NO. 8

Resolved, that effective October 1, 1973, until otherwise provided by Order of the Committee on House Administration the quarterly allowance for official office expenses incurred outside the District of Columbia by Members, Delegates, and the Resident Commissioner from Puerto Rico has been increased from $300 quarterly to $500 quarterly.

COMMITTEE ORDER NO. 9

Resolved, that effective October 1, 1973, until otherwise provided by Order of the Committee on House Administration the number of units provided for official telephone calls, telegrams, cablegrams, and radiograms made or sent by on or behalf of a Member, Delegate, or the Resident Commissioner of Puerto Rico has been increased from 80,000 units to 100,000 units for each regular session of Congress. Such units shall accumulate and be available for use until the aggregate number of such units in the close of each session is not more than 200,000. Unused units in excess of 200,000 at the close of session may not be carried forward for use in a succeeding session.

COMMITTEE ORDER NO. 10

Resolved, that until otherwise provided by the Committee on House Administration, there shall be paid from the contingent fund of the House of Representatives to each Member, Resident Commissioner, or Delegate to the House of Representatives an additional allowance of $1,000 for stationery. Such payment shall be effective each session beginning with the 2nd Session of the 93d Congress.

Effective date: 2d Session of the 93d Congress.

COMMITTEE ORDER NO. 11

Resolved, that effective January 1, 1974, until otherwise provided by the Committee on House Administration, one word of a telegram, cablegram, or radiogram, shall be charged as two (2) units, except that one word of a night letter shall be charged as one (1) unit. In addition, twelve (12) units shall be charged for physical delivery of any telegram, cablegram, or radiogram, by the Telegraph Company.

COMMITTEE ORDER NO. 12

Resolved, that effective March 1, 1974, each Member of the House of Representatives shall be entitled to office space suitable for his use in the district he represents at such places designated by him in such district. The Sergeant at Arms shall secure office space satisfactory to the Member in post offices or Federal buildings at not more than three (3) locations if such space is available. Office space to which a Member is entitled under this resolution which is not secured by the Sergeant At Arms may be secured by the Member, and the Clerk shall approve for payment from the contingent fund of the House of Representatives vouchers covering bona fide statements of amounts due for office space not exceeding a total allowance to each Member of $200 per month; but if a Member certifies to the Committee on House Administration that he is unable to obtain suitable space in his district for $200 per month due to high rental rates or other factors, the Committee on House Administration may, as the Committee considers appropriate, direct the Clerk to approve for payment from the contingent fund of the House of Representatives vouchers covering bona fide statements of amounts due for suitable office space not exceeding a total allowance to each Member of $500 per month. In the event suitable office space is not available in post offices or other Federal buildings and the Member certifies to the Committee on House Administration that he is unable to obtain suitable private space in his district for $500.00 per month due to high rental rates or other factors, the Committee on House Administration may direct the Clerk to approve for payment from the contingent fund of the House of Representatives vouchers covering bona fide statements of amounts due for suitable office space not exceeding approximately 1,500 square feet at rates not to exceed the highest applicable rate charged to Federal agencies in the district established by regulations issued by the Administrator of General Services pursuant to Section 210(j) of the Federal Property and Administrative Services Act of 1949, as amended (40 U.S.C. 490(j)). Members shall be entitled to have no more than three (3) district offices outfitted with office equipment, carpeting, and draperies at the expense of the General Services Administration.

As used in this resolution the term "Member" means any Member of the House of Representatives, the Resident Commissioner from Puerto Rico, and the Delegates from the District of Columbia, Guam, and the Virgin Islands.

Committee Order No. 12 rescinds the provisions of Committee Order No. 1 revised.

COMMITTEE ORDER NO. 13

Resolved, that in addition to postage stamps authorized to be furnished under any other provision of law, until otherwise provided by order of the Committee on House Administration, the Clerk of the House of Representatives shall for each regular session of Congress procure and furnish United States postage stamps to each Representative, the Resident Commissioner of Puerto Rico, and the Delegates from the District of Columbia, Guam, and the Virgin Islands in an amount not exceeding $230, and to each standing committee of the House of Representatives upon request of the chairman thereof, in an amount not exceeding $140. In addition to postage stamps authorized under any other provision of law, until otherwise provided by order of the Committee on House Administration, the Speaker, the majority and minority leaders, and the majority and minority whips of the House of Representatives shall each be allowed United States postage stamps in an amount not exceeding $205.

Effective date: August 20, 1974.

COMMITTEE ORDER NO. 14

Resolved, that until otherwise provided by order of the Committee on House Administration; the allowance for Stationery for each Member of the House of Representatives, Delegate, and Resident

Commissioner, shall be $6,500 per regular session. Such payment shall be made to each Member, Delegate, and the Resident Commissioner serving as such on or after the date of adoption of this resolution.

Effective date: August 20, 1974.

COMMITTEE ORDER NO. 15

Resolved, the Clerk of the House is authorized and directed to pay each Member, the Resident Commissioner from Puerto Rico, and the Delegates to the House of Representatives from the contingent fund of the House the amount of $500 quarterly upon the certification of each such Member, Resident Commissioner and Delegate for official expenses incurred outside the District of Columbia; effective with the beginning of the 94th Congress.

Effective date: December 18, 1974.

COMMITTEE ORDER NO. 16

Resolved, that effective this date, until otherwise provided by order of the Committee on House Administration, each Member, the Resident Commissioner from Puerto Rico, and the Delegate from the District of Columbia to the House of Representatives shall be entitled to an annual clerk hire allowance for the employment of not to exceed 18 clerks, and the Delegates from Guam and the Virgin Islands to the House of Representatives shall be entitled to an annual clerk hire allowance for the employment of not to exceed 11 clerks.

Effective date: March 6, 1975.

COMMITTEE ORDER NO. 17

Resolved, that effective March 1, 1975, until otherwise provided by order of the Committee on House Administration, upon written request to the Committee on House Administration, a Member, the Resident Commissioner from Puerto Rico or a Delegate to the House of Representatives may allocate an amount not to exceed $250 a month of any unused portion of his or her clerk hire allowance for the leasing of equipment necessary for the conduct of his or her office or for the leasing of computer and related services in connection with his or her official duties.

COMMITTEE ORDER NO. 18

Resolved, that effective this date, until otherwise provided by order of the Committee on House Administration, each Member, the Resident Commissioner from Puerto Rico or a Delegate to the House of Representatives is authorized a $650 per month allowance to lease office equipment, and upon written request to the Committee on House Administration, a Member, the Resident Commissioner from Puerto Rico or a Delegate to the House of Representatives may allocate an amount not to exceed $250 a month of any unused portion of his or her clerk hire allowance for the leasing of equipment necessary for the conduct of his or her office or for the leasing of computer and related services in connection with his or her official duties. The said monthly allowances are not cumulative.

Effective date: April 23, 1975.

COMMITTEE ORDER NO. 19

Resolved, that effective this date [June 2, 1975], until otherwise provided by order of the Committee on House Administration:

(a) The contingent fund of the House of Representatives is made available for reimbursement of transportation expenses incurred by Members (including the Resident Commissioner from Puerto Rico, the Delegates from the District of Columbia, the Virgin Islands, and Guam) in traveling, on official business, by the nearest usual route, between Washington, District of Columbia, and any point in the district which he represents, for not more than 26-round trips during each session of Congress (at the discretion of the Member, Resident Commissioner and Delegates no more than 6 of the 26-round trips may be allocated to the employees of their offices, such reimbursement to be made in accordance with rules and regulations established by the Committee on House Administration of the House of Representatives.

(b) The contingent fund of the House of Representatives is made available for reimbursement of transportation expenses incurred by employees in the office of a Member (including the Resident Commissioner from Puerto Rico, the Delegates from the District of Columbia, the Virgin Islands, and Guam) in traveling, on official business, by the nearest usual route, between Washington, District of Columbia, and any point in the Congressional district represented by the Member, for not more than 6-round trips during each session of Congress. Such payment shall be made only upon the receipt of a voucher approved by the Member, containing a certification by him stating that such travel was performed on official business. The Committee on House Administration shall make such rules and regulations as may be necessary to carry out this section.

(c) A Member of the House of Representatives (including the Resident Commissioner from Puerto Rico, the Delegates from the District of Columbia, the Virgin Islands, and Guam) may elect to receive in each session of Congress, in lieu of reimbursement of transportation expenses for each session of Congress as authorized in paragraph (a) above, a lump sum transportation payment of $2,250 for each session of Congress. The Committee on House Administration of the House of Representatives shall make such rules and regulations as may be necessary to carry out this section.

(d) This order shall not affect any allowance for travel of Members of the House of Representatives (including the Resident Commissioner from Puerto Rico, the Delegates from the District of Columbia, the Virgin Islands, and Guam) which is authorized to be paid from funds other than the contingent fund of the House of Representatives.

COMMITTEE ORDER NO. 20

Resolved, that effective June 1, 1975, until otherwise provided by order of the Committee on House Administration, each Member of the House of Representatives, the Resident Commissioner from Puerto Rico, and the Delegates from the District of Columbia, the Virgin Islands, and Guam shall be entitled to an additional annual clerk hire allowance of $22,500. There shall be paid out of the contingent fund of the House of Representatives such sums as may be necessary to carry out this order until otherwise provided by law.

COMMITTEE ORDER NO. 21

Resolved, that effective June 1, 1975, until otherwise provided by order of the Committee on House Administration, each Member of the House of Representatives, Delegate and Resident Commissioner shall be entitled to a constituent communication's allowance equivalent to the fair market value of the printing and production costs of two standard 11 × 17 inch Congressional district-wide constituent reports per annum for use in production and printing of newsletters, questionnaires or similar correspondence eligible to be mailed under the frank. The Committee on House Administration shall make such rules and regulations as may be necessary to establish the fair market value of the cost of printing and production of two standard 11 × 17 inch Congressional district-wide constituent report. There shall be paid out of the contingent fund of the House of Representatives such sums as may be necessary until otherwise provided by law.

COMMITTEE ORDER NO. 22

Resolved, that effective for the 94th Congress, until otherwise provided by Order of the Committee on House Administration, that in addition to the basic installation and service charges not to exceed the cost of three telephone lines at each of three district offices, the number of units provided for official telephone calls, telegrams, cablegrams, and radiograms made or sent by on or behalf of a Member, Delegate, or the Resident Commissioner of Puerto Rico is hereby

changed to an overall allowance of 125,000 units for each regular session of Congress. These units shall be transferable among the Washington, D.C. and district offices. In addition, payment for the use of a WATS line is authorized, but the charges for such WATS line shall be calculated and deducted at a rate of 11 cents per unit. Such units shall accumulate and be available for use until the aggregate number of such units at the close of each session or Congress is not more than 250,000. Unused units in excess of 250,000 at the close of a session may not be carried forward for use in a succeeding session or Congress.

COMMITTEE ORDER NO. 23

Resolved, that effective this date [July 29, 1975], until otherwise provided by order of the Committee on House Administration, each Member, the Resident Commissioner from Puerto Rico or a Delegate to the House of Representatives is authorized upon written request to the Committee on House Administration, to allocate an amount not to exceed $1000 a month of any unused portion of his or her clerk hire allowance for the leasing of computer and related services in connection with his or her official duties. The said monthly allowance is not cumulative.

COMMITTEE ORDER NO. 24

Resolved, that effective October 1, 1975, until otherwise provided by order of the Committee on House Administration, each Member, the Resident Commissioner from Puerto Rico or a Delegate to the House of Representatives is authorized a $750.00 per month allowance to lease office equipment, and upon written request to the Committee on House Administration, a Member, the Resident Commissioner from Puerto Rico or a Delegate to the House of Representatives may allocate an amount not to exceed $250.00 a month of any unused portion of his or her clerk hire allowance for the leasing of equipment necessary for the conduct of his or her office in connection with his or her official duties. The said monthly allowances are not cumulative.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 57a of this title.

§ 57a. Limitation on authority of Committee on House Administration to fix and adjust allowances

(a) Until otherwise provided by law, any allowance specified in subsection (a)(1) of the first section of H. Res. 457, Ninety-second Congress, relating to expenditures of funds from the contingent fund of the House of Representatives for certain allowances to Members, officers, and standing committees of the House (2 U.S.C. 57), adopted July 21, 1971, and enacted as permanent law by the Supplemental Appropriations Act, 1972 (Public Law 92-184; 85 Stat. 627), hereinafter in this section referred to as "H. Res. 457, Ninety-second Congress", may be fixed or adjusted only through the adoption of a resolution by the House of Representatives, except that the Committee on House Administration may fix or adjust such allowance in any case in which such action by such committee is made necessary by—

(1) any change in the price of materials, services, or office space;

(2) any technological change or other improvement in electrical or mechanical equipment; or

(3) any increase in the cost of living which results in action under the Federal Pay Comparability Act of 1971.

(b) Upon the date of the adoption of this section, the authority of the Committee on House Administration under H. Res. 457, Ninety-second Congress, shall be subject to the provisions of this section.

(Pub. L. 94-440, title II, § 101, Oct. 1, 1976, 90 Stat. 1448.)

REFERENCES IN TEXT

Subsection (a)(1) of the first section of H. Res. 457, Ninety-second Congress, referred to in subsec. (a), is classified to section 57(a)(1) of this title.

The Federal Pay Comparability Act of 1971, referred to in subsec. (a)(3), probably means the Federal Pay Comparability Act of 1970, Pub. L. 91-656, Jan. 8, 1971, 84 Stat. 1946. For distribution of such Act in the Code, see Short Title note set out under section 5301 of Title 5, Government Organization and Employees, and Tables volume.

CODIFICATION

Section is based on House Resolution No. 1372, Ninety-fourth Congress, July 1, 1976, which was enacted into permanent law by Pub. L. 94-440.

§ 58. Mail, telegraph, telephone, stationery, office supplies, and home state office and travel expenses for Senators

(a) Authorization for payment from contingent fund

Effective January 1, 1973, and thereafter, the contingent fund of the Senate is made available for payment to or on behalf of each Senator, upon certification of the Senator, for the following expenses incurred by the Senator and his staff:

(1) official telegrams and long-distance telephone calls and related services (in the manner authorized immediately prior to January 1, 1973, by the Committee on Rules and Administration, or as may be hereafter authorized by that committee);

(2) stationery and other office supplies procured through the Senate stationery room for use for official business;

(3) reimbursement to each Senator for air mail and special delivery postage for expenses incurred in the mailing of postal matters relating to official business;

(4) Repealed. Pub. L. 93-371, § 101(3)(e), Aug. 13, 1974, 88 Stat. 429;

(5) reimbursement to each Senator for official office expenses incurred in his State (other than equipment and furniture);

(6) reimbursement to each Senator for telephone service charges officially incurred outside Washington, District of Columbia;

(7) reimbursement to each Senator for charges for subscriptions to newspapers, magazines, periodicals, or clipping or similar services; and

(8) reimbursement of actual transportation expenses incurred by the Senator in traveling on official business by the nearest usual route between Washington, District of Columbia, and the State he represents and within such State, and travel expenses incurred by employees in that Senator's office subject to the provisions of subsection (e) of this section.

Reimbursement to a Senator and his employees under this section shall be made only upon presentation of itemized vouchers for expenses incurred.

(b) Limits for authorized expenses

(1) Except as otherwise provided in paragraph (2) of this subsection, the total amount of expenses authorized to be paid to or on behalf of a Senator under this section shall not exceed for calendar year 1973 or any calendar year thereafter the aggregate of the following, rounded to the next higher multiple of $12:

(A) the applicable amount authorized for official telegrams and long-distance telephone calls and related services under rules and regulations of the Committee on Rules and Administration in effect immediately prior to January 1, 1973, or such different amount as may be authorized for such purposes under rules and regulations hereafter prescribed by that committee;

(B) the applicable full fiscal year amount authorized by section 46a of this title, as in effect immediately prior to January 1, 1973;

(C) the applicable full fiscal year amount authorized by section 42a of this title, as in effect immediately prior to January 1, 1973;

(D) the amount authorized a Senator for home offices and home office expenses for a full calendar year in section 53 of this title, as in effect immediately prior to January 1, 1973; and

(E) the applicable full fiscal year amount authorized by section 43b of this title, as in effect immediately prior to January 1, 1973.

(2) In any such calendar year in which a Senator does not hold the office of Senator at least part of each month of that year, the aggregate amount available to the Senator shall be the aggregate amount computed under paragraph (1) of this subsection, divided by 12, and multiplied by the number of months the Senator holds such office during that year, counting any fraction of a month as a full month.

(c) Payments

The aggregate of payments made to or on behalf of a Senator under this section shall not exceed at any time during each calendar year one-twelfth of the amount computed under subsection (b)(1) of this section multiplied by the number of months (counting a fraction of a month as a month) elapsing from the first month in that calendar year in which the Senator holds the office of Senator through the date of payment.

(d) Repealed. Pub. L. 93-371, § 101(3)(e), Aug. 13, 1974, 88 Stat. 429

(e) Travel expenses

In accordance with regulations prescribed by the Committee on Rules and Administration, an employee in a Senator's office including employees authorized by Senate Resolution 60, 94th Congress, agreed to June 12, 1975, and section 72a-1c of this title shall be reimbursed under this section for per diem and actual transportation expenses incurred, or actual travel expenses incurred, only for round trips made by the employee on official business by the nearest usual route between Washington, District of Columbia, and the home State of the Senator involved, and in traveling within the State (other than transportation expenses incurred by an employee assigned to a Senator's office within that State (1) while traveling in the general vicinity of such office, (2) pursuant to a change of assignment within such State, or (3) in commuting between home and office). However, an employee shall not be reimbursed for any per diem expenses or actual travel expenses (other than actual transportation expenses) for any travel occurring during the sixty days immediately before the date of any primary or general election (whether regular, special, or runoff) in which the Senator, in whose office the employee is employed, is a candidate for public office, unless his candidacy in such election is uncontested. Reimbursement of per diem and actual travel expenses shall not exceed the rates established in accordance with section 68b of this title. No payment shall be made under this section to or on behalf of a newly appointed employee to travel to his place of employment. This section shall be effective July 1, 1975.

(f) Reduction of allowances for fiscal year 1973

The amount available to each Senator during fiscal year 1973, (1) for air mail and special delivery postage by section 42a of this title, as in effect immediately prior to January 1, 1973, (2) for actual transportation expenses under section 43b of this title, as in effect immediately prior to January 1, 1973, and (3) for stationery by section 46a of this title, as in effect immediately prior to January 1, 1973, shall be, notwithstanding such sections, reduced by 50 percent of the applicable amount made available to a Senator under such sections for the entire fiscal year. If, immediately prior to January 1, 1973, any Senator has expended any sum in excess of an amount made available as the result of the reduction made in clause (2) or (3) by this subsection, any such excess sum (but not more than the applicable amount of the reduction) shall be charged against the amount made available to that Senator under this section for calendar year 1973.

(g) Closing of deceased Senator's state offices

In the case of the death of any Senator, the chairman of the Committee on Rules and Administration may certify for such deceased Senator for any portion of such sum already obligated but not certified to at the time of such Senator's death, and for any additional amount which may be reasonably needed for the purpose of closing such deceased Senator's State offices, for payment to the person or persons designated as entitled to such payment by such chairman.

(Pub. L. 92-607, ch. V, § 506(a)-(g), Oct. 31, 1972, 86 Stat. 1505-1507; Pub. L. 93-145, § 101, Nov. 1, 1973, 87 Stat. 532; Pub. L. 93-371, § 101(3)(e), Aug. 13, 1974, 88 Stat. 429; Pub. L. 94-59, title I, § 103, July 25, 1975, 89 Stat. 274.)

REFERENCES IN TEXT

Section 53 of this title referred to in subsec. (b)(1)(D) was repealed by Pub. L. 92-607, ch. V, § 506(h)(7), Oct. 31, 1972, 86 Stat. 1508.

CODIFICATION

Section consists of subsecs. (a) to (g) of section 506 of Pub. L. 92-607. Subsecs. (h) and (i) made certain amendments and repeals to sections in this title which covered the provisions now covered by this section. Subsec. (j) amended earlier appropriations not classified to the Code. See Tables volume.

AMENDMENTS

1975—Subsec. (a)(8). Pub. L. 94-59, § 103(1), substituted "travel expenses incurred by employees" for "actual transportation expenses incurred by employees".

Subsec. (e). Pub. L. § 103(2), inserted new administrative provisions covering the payment of travel expenses of employees in Senators' offices for round trips between Washington, D.C., and the Senators' home states, added references to Senate Resolution 60, 94th Congress, agreed to June 12, 1975, and to sections 68b and 72a-1c of this title, and inserted limiting provisions prohibiting reimbursement for travel during the 60-day period immediately preceding any election in which the Senator is a candidate.

1974—Subsec. (a). Pub. L. 93-371 struck out paragraph (4) which related to rental charges for office space at not more than three places designated by the Senator in the State he represents. See section 59 of this title.

Subsec. (c). Pub. L. 93-371 struck out provisions setting forth the maximum allowable amount for rental payments for office space occupied by the Senator in State he represents. See section 59 of this title.

Subsec. (d). Pub. L. 93-371 struck out subsec. (d) which authorized the Sergeant at Arms to secure for each Senator home state office space at not more than three places designated by the Senator in such home state. See section 59 of this title.

1973—Subsec. (a)(7). Pub. L. 93-145 inserted "newspapers," following "subscriptions to".

EFFECTIVE DATE OF 1974 AMENDMENT

Amendment by Pub. L. 93-371 effective on and after July 1, 1974, see section 101(3)(f) of Pub. L. 93-371, set out as a note under section 59 of this title.

EFFECTIVE DATE OF 1973 AMENDMENT

Section 101 of Pub. L. 93-145 provided in part that the amendment by Pub. L. 93-145 is effective Jan. 1, 1973.

§ 59. Home state office space for Senators; lease of office space

(a) Procurement by Sergeant at Arms of Senate in places designated by Senator; places subject to use; lease of office space

(1) The Sergeant at Arms of the Senate shall secure for each Senator office space suitable for the Senator's official use in places designated by the Senator in the State he represents. That space shall be secured in post offices or other Federal buildings at such places. In the event suitable office space is not available in post offices or other Federal buildings, the Sergeant at Arms shall secure other office space in those places.

(2) The Senator may lease, on behalf of the United States Senate, the office space so secured for a term not in excess of one year. A copy of each such lease shall be furnished to the Sergeant at Arms. Nothing in this paragraph shall be construed to require the Sergeant at Arms to enter into or execute any lease for or on behalf of a Senator.

(b) Maximum amount of aggregate square feet for each Senator

The aggregate square feet of office space secured for Senator shall not at any time exceed—

(1) 4,800 square feet if the population of his State is less than 2,000,000;

(2) 5,000 square feet if such population is 2,000,000 but less than 3,000,000;

(3) 5,200 square feet if such population is 3,000,000 but less than 4,000,000;

(4) 5,400 square feet if such population is 4,000,000 but less than 5,000,000;

(5) 5,800 square feet if such population is 5,000,000 but less than 7,000,000;

(6) 6,200 square feet if such population is 7,000,000 but less than 9,000,000;

(7) 6,400 square feet if such population is 9,000,000 but less than 10,000,000;

(8) 6,600 square feet if such population is 10,000,000 but less than 11,000,000;

(9) 6,800 square feet if such population is 11,000,000 but less than 12,000,000;

(10) 7,000 square feet if such population is 12,000,000 but less than 13,000,000;

(11) 7,400 square feet if such population is 13,000,000 but less than 15,000,000;

(12) 7,800 square feet if such population is 15,000,000 but less than 17,000,000; or

(13) 8,000 square feet if such population is 17,000,000 or more.

(c) Maximum annual rental rate; maximum aggregate amount for acquisition of furniture, equipment, and other office furnishings

(1) The maximum annual rate that may be paid for the rental of an office secured for a Senator not in a post office or other Federal building shall not at any time exceed the applicable rate per square foot charged Federal agencies by the Administrator of General Services, based upon a 100 percent building quality rating, for office space located in the place in which the Senator's office is located, multiplied by the number of square feet contained in that office used by the Senator and his employees to perform their duties.

(2) The aggregate amount that may be paid for the acquisition of furniture, equipment, and other office furnishings heretofore provided by the Administrator of General Services for one or more offices secured for the Senator is $20,500 if the aggregate square feet of office space is not in excess of 4,800 square feet. Such amount is increased by $500 for each authorized additional incremental increase in office space of 200 square feet.

(d) Senators subject to maximum amount of aggregate square feet and maximum annual rental rate

(1) Notwithstanding subsection (b) of this section, the aggregate square feet of office space secured for a Senator who is a Senator on July 1, 1974, shall not at any time exceed, as long as he continuously serves as a Senator, the greater of—

(A) the applicable square footage limitation of such subsection; or

(B) the total square footage of those offices that the Senator has on such date and which are continuously maintained in the same buildings in which such offices were located on such date.

(2) The provisions of subsection (c) of this section do not apply to any office that a Senator has on July 1, 1974, not in a post office or other Federal building, as long as—

(A) that Senator continuously serves as a Senator; and

(B) that office is maintained in the same building in which it was located on such date

and contains not more than the same number of square feet it contained in such date.

(e) Mobile office

(1) Subject to the provisions of paragraphs (2), (3), (4), and (5), a Senator may lease one mobile office for use only in the State he represents and shall be reimbursed from the contingent fund of the Senate for the rental payments made under such lease together with the actual nonpersonnel cost of operating such mobile office. The term of any such lease shall not exceed one year. A copy of each such lease shall be furnished to the Sergeant at Arms of the Senate.

(2) The maximum aggregate annual rental payments and operating costs (except furniture, equipment, and furnishings) that may be reimbursed to a Senator under paragraph (1) shall not at any time exceed an amount determined by multiplying (A) the highest applicable rate per square foot charged Federal agencies by the Administrator of General Services in the State which that Senator represents, based upon a 100 percent building quality rating, by (B) the maximum aggregate square feet of office space to which that Senator is entitled under subsection (b) of this section reduced by the number of square feet contained in offices secured for that Senator under subsection (a) of this section and used by that Senator and his employees to perform their duties.

(3) No reimbursement shall be made under paragraph (1) for rental payments and operating costs of a mobile office of a Senator unless the following provisions are included in its lease:

(A) Liability insurance in the amount of $1,000,000 shall be provided with respect to the operation and use of such mobile office.

(B) The following inscription shall be clearly visible on three sides of such mobile office in letters not less than four inches high:

"Mobile Office of Senator (name of Senator)

"FOR OFFICIAL OFFICE USE ONLY".

(4) No reimbursement shall be made under paragraph (1) for rental payments and operating costs of a mobile office of a Senator which are attributable to or incurred during the 60-day period ending with the date of any primary or general election (whether regular, special, or runoff) in which that Senator is a candidate for public office, unless his candidacy in such election is uncontested.

(5) Reimbursement under paragraph (1) shall be made on a quarterly basis and shall be paid upon vouchers approved by the Sergeant at Arms of the Senate.

(Pub. L. 93-371, § 101(3)(a)-(d), (f), Aug. 13, 1974, 88 Stat. 428; Pub. L. 94-32, title I, § 101, June 12, 1975, 89 Stat. 183; Pub. L. 94-59, title I, §§ 106(a), 107, July 25, 1975, 89 Stat. 276.)

CODIFICATION

Subsec. (e), in the original, amended section 58 of this title and was not carried as part of this section. Subsec. (f), in the original, as added by Pub. L. 94-32, has been redesignated (e) for purposes of codification.

AMENDMENTS

1975—Subsec. (a). Pub. L. 94-59, § 107, designated existing provisions as par. (1) and added par. (2).

Subsec. (c). Pub. L. 94-59, § 106(a), designated existing provisions as par. (1) and added par. (2).

Subsec. (e). Pub. L. 94-32 added subsec. (e).

EFFECTIVE DATE OF 1975 AMENDMENT

Section 106(b) of Pub. L. 94-59 provided that: "The amendment made by subsection (a) of this section [amending subsec. (c) of this section] is effective on and after July 1, 1975."

EFFECTIVE DATE

Section 101(3)(g), formerly (f) of Pub. L. 93-371, as renumbered by section 101 of Pub. L. 94-32, provided that: "This section [which enacted this section and amended section 58 of this title] is effective on and after July 1, 1974."

§ 59a. Purchase of office equipment or furnishings by Representatives, Delegates, and Resident Commissioner

(a) Authorization; conditions

Notwithstanding any other provision of law, a Member may purchase, upon leaving office or otherwise ceasing to be a Member (except by expulsion), any item or items of office equipment or office furnishings provided by the General Services Administration and then currently located and in use in an office of such Member in the district then represented by such Member.

(b) Regulations governing purchase; price

Each purchase of equipment or furnishings under subsection (a) of this section shall be—

(1) in accordance with regulations which shall be prescribed by the Committee on House Administration, after consultation with the General Services Administration; and

(2) at a price equal to the acquisition cost to the Federal Government of the equipment or furnishings so purchased, less allowance for depreciation determined under such regulations, but in no instance less than the fair market value of such items.

(c) Remittance of amounts received to General Services Administration; disposition

Amounts received by the Federal Government from the sale of items of office equipment or office furnishings under this section shall be remitted to the General Services Administration and credited to the appropriate account or accounts.

(d) Definitions

For the purposes of this section—

(1) "Member" means a Member of, Delegate to, or Resident Commissioner in, the House of Representatives; and

(2) "district" means a congressional district, the District of Columbia (with respect to any office of the Delegate from the District of Columbia situated at any place in the District other than at the United States Capitol), the Virgin Islands, Guam, Puerto Rico, and, in the case of a Representative at Large, a State.

(Pub. L. 93-462, § 1, Oct. 20, 1974, 88 Stat. 1388.)

§ 59b. Purchase of office equipment or furnishings by Senators

(a) Authorization; conditions

Notwithstanding any other provision of law, a United States Senator may purchase, upon leaving office or otherwise ceasing to be a Senator (except by expulsion), any item or items of office equipment or office furnishings provided by the General Services Administration and then currently located and in use in an office of such Senator in the State then represented by such Senator.

(b) Request to by Senator and arrangement for purchase by Sergeant at Arms of Senate; regulations governing purchase; price

At the request of any United States Senator, the Sergeant at Arms of the Senate shall arrange for and make the purchase of equipment and furnishings under subsection (a) of this section on behalf of such Senator. Each such purchase shall be—

(1) in accordance with regulations which shall be prescribed by the Committee on Rules and Administration of the Senate, after consultation with the General Services Administration; and

(2) at a price equal to the acquisition cost to the Federal Government of the equipment or furnishings so purchased, less allowance for depreciation determined under such regulations, but in no instance less than the fair market value of such items.

(c) Remittance of amounts received to General Services Administration; disposition

Amounts received by the Federal Government from the sale of items of office equipment or office furnishings under this section shall be remitted to the General Services Administration and credited to the appropriate account or accounts.

(Pub. L. 93-462, § 2, Oct. 20, 1974, 88 Stat. 1388.)

CHAPTER 4—OFFICERS AND EMPLOYEES OF SENATE AND HOUSE OF REPRESENTATIVES

Sec.
60. Repealed.
60-1. Authority of officers of the Congress over Congressional employees.
(a) Qualifications determinations; removal and discipline.
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60a-1. Senate pay adjustments; action by President pro tempore of Senate.
60a-1a. Rates of compensation disbursed by Secretary of Senate; applicability of Senate pay adjustments by President pro tempore of Senate.
60a-2. House of Representatives pay adjustments; action by Clerk of House of Representatives.
60b, 60c. Omitted.
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(c) Full acquittance for the amount due.
(d) Rules and regulations.
(e) Definition of "financial organization".
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60d. Officers and employees paid by Clerk of the House of Representatives; payment of December salary.
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60e-1. Payment of salaries in or under House of Representatives when payday falls on Saturday.
60e-1a. Withholding of State income tax by Clerk and Sergeant at Arms of the House.
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(c) Acceptance or disapproval of proposed agreement by Committee on House Administration.
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60e-2b. Overtime compensation for certain employees of the Office of the Architect of the Capitol.
60e-3. Legislative branch employees; increases in basic compensation rates.
60e-4. Additional increase in compensation of legislative branch employees.
60e-4a. Additional increase in compensation of federal and District of Columbia employees.
60e-5. Additional increase in compensation and limitation on annual compensation of legislative branch employees.

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60e-6. Additional increase in compensation and limitation on annual compensation of legislative branch employees.
60e-7. Additional increase in compensation of legislative branch employees.
60e-8. Additional increase in compensation of legislative branch employees.
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60j-1. Capitol Police longevity compensation.
61. Limit on rate of compensation of officers and employees of the Senate.
61-1. Gross rate of compensation of employees paid by Secretary of Senate.
(a) Annual rate; certification.
(b) Conversion; increase in compensation.
(c) Reference in other provisions to basic rates and additional compensation as reference to per annum gross rate.
(d) Compensation of employees in office of Senator; limitation; titles of positions.
(e) Compensation of professional staff members and clerical staff of standing committees; standing or select committee employees; gross rate limitation.
(f) General limitation.
(g) Conversion of compensation of Capitol telephone exchange operators and Capitol Police paid by Clerk of House.
61-2. Increase in gross rate of compensation.
(a) Employees paid by Secretary of Senate and Clerk of House of Representatives.
(b) Reference in other provisions to rates of compensation as reference to per annum gross rate.
(c) Adjustment of rate of compensation; notice for increase in compensation.
61a. Compensation of Secretary of the Senate.
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61a-2. Compensation of Postmaster and Assistant Postmaster of the Senate.
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61d-1. Compensation of the Secretary to the Chaplain of the Senate.
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(e) Maximum aggregate payments of gross compensation.
(f) Effective date.
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(c) Compensation of temporary appointee.
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76-1. Compensation of Doorkeeper of House of Representatives.
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112a to 112d. Repealed.
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117. Sale of waste paper and condemned furniture.
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(a) Establishment.
(b) Deposit of proceeds from services, etc., of Senate employees barber shop; availability of moneys for disbursement.
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(d) Disbursements upon vouchers.
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122. Office space in home districts of House Members and Resident Commissioner.
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(a) Establishment.
(b) Assistance in making disk, film, and tape recordings; exclusiveness of use.
(c) Operation of studios.
(d) Prices of disk, film, and tape recordings; collection of moneys.
(e) Restrictions on expenditures.
(f) Appointment of Director and other employees of House Recording Studio.
(g) Revolving funds.
(h) Deposits in funds; availability of funds.
(i) Distribution of equity of Joint Senate and House Recording Facility Revolving Fund; assignment of existing studio facilities, equipment, materials and supplies; transfer of accounts; reserve fund; distribution of balance.
(j) Availability of existing services and facilities.
(k) Restrictions on employment.
(l) Abolition of Joint Recording Facility positions and salaries.
(m) Repeals.
(n) Repealed.
(o) Authorization of appropriations.
123c. Automatic data processing equipment.
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(a) Senate Computer Center Revolving Fund.
(b) Contracts for use of Senate computer; approval; terms.
(c) Additional personnel.
(d) Disbursements.
124. Arrangements for attendance at funeral of deceased House Members; payment of funeral expenses and expenses of attending funeral rites.

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125. Gratuities for survivors of deceased House employees; computation.
125a. Death gratuity payments as gifts.
126. Repealed.
126-1. Employment of reporters, clerks and transcribers; compensation.
126-2. Designation of reporters.
126a. Omitted.
126b. Emergency reporters and transcribers; payments from contingent fund.
127. Repealed.
127a. Reimbursement of transportation expenses for employees in office of Member of House of Representatives.
128, 129. Repealed.
130. Participation by House in interparliamentary institutions; payment of expenses.
130a. Nonpay status for Congressional employees studying under Congressional staff fellowships.
130b. Jury and witness service by employees of the Senate and the House.
(a) Definitions.
(b) Service as juror or witness in connection with a judicial proceeding; prohibition against reduction of pay.
(c) Official duty.
(d) Prohibition on receipt of jury or witness fees.
(e) Travel expenses.
(f) Rules and regulations.
(g) Congressional consent not conferred for production of official records or to testimony concerning activities related to employment.
130c. Waiver by Secretary of the Senate of claims of the United States arising out of erroneous payments to Vice President, Senator, or Senate employee whose pay is disbursed by the Secretary of the Senate.
(a) Waiver of claim for erroneous payment of pay or allowances.
(b) Prohibition of waiver.
(c) Credit for waiver.
(d) Effect of waiver.
(e) Construction with other laws.
(f) Rules and regulations.
130d. Waiver by Speaker of the House of Representatives of claims of the United States arising out of erroneous payments to officers or employees whose pay is disbursed by the Clerk of the House of Representatives.
(a) Waiver of claim for erroneous payment of pay or allowances.
(b) Investigation and report.
(c) Prohibition of waiver.
(d) Credit for waiver.
(e) Effect of waiver.
(f) Construction with other laws.
(g) Rules and regulations.

§ 60. Repealed. June 20, 1929, ch. 33, § 6, 46 Stat. 39

Section, acts May 24, 1924, ch. 183, § 1, 43 Stat. 146; May 29, 1928, ch. 853, § 1, 45 Stat. 885, related to rates of pay for various officers and employees of the Government. For present provisions on this subject, see notes under section 60a-1 and section 60c-1 et seq. of this title.

§ 60-1. Authority of officers of the Congress over Congressional employees

(a) Qualifications determinations; removal and discipline

Each officer of the Congress having responsibility for the supervision of employees, including employees appointed upon recommendation of Members of Congress, shall have authority—

(1) to determine, before the appointment of any individual as an employee under the supervision of that officer of the Congress, whether that individual possesses the qualifications necessary for the satisfactory performance of the duties and responsibilities to be assigned to him; and

(2) to remove or otherwise discipline any employee under his supervision.

(b) "Officer of the Congress" defined

As used in this section, the term "officer of the Congress" means—

(1) an elected officer of the Senate or House of Representatives who is not a Member of the Senate or House; and

(2) The Architect of the Capitol.

(Pub. L. 91-510, title IV, § 431, Oct. 26, 1970, 84 Stat. 1190.)

EFFECTIVE DATE

Section effective immediately prior to noon on Jan. 3, 1971, see section 601(1) of Pub. L. 91-510, set out as a note under section 72a of this title.

§ 60a. Omitted

CODIFICATION

Present provisions relating to personnel and compensation of Congressional officers and employees may be found elsewhere in this chapter and in Acts and Resolutions cited in notes hereunder. Section was based on the following acts:

1949—Jan. 19, 1949, ch. 2, § 1(d), (f), 63 Stat. 4.
May 24, 1949, ch. 138, title I, § 101, 63 Stat. 76.
Oct. 10, 1949, ch. 662, title I, § 101, 63 Stat. 738.
Oct. 14, 1949, ch. 694, title I, § 101, 63 Stat. 869.
1948—June 14, 1948, ch. 467, §§ 101, 105, 62 Stat. 423, 437.
June 25, 1948, ch. 658, title I, § 101, 62 Stat. 1027.
1947—Jan. 31, 1947, ch. 1, 61 Stat. 1.
Feb. 19, 1947, ch. 3, § 1, 61 Stat. 4.
July 17, 1947, ch. 262, §§ 101, 105, 61 Stat. 361, 377.
July 30, 1947, ch. 361, 61 Stat. 610.
July 31, 1947, ch. 414, 61 Stat. 695.
1946—July 1, 1946, ch. 530, §§ 101, 105, 60 Stat. 387, 407.
July 23, 1946, ch. 591, title I, § 101, 60 Stat. 600.
Aug. 2, 1946, ch. 753, title II, § 201 (a), 60 Stat. 834.
Aug. 8, 1946, ch. 870, title I, § 101, 60 Stat. 910.
1945—Apr. 25, 1945, ch. 95, title I, § 101, 59 Stat. 77.
June 13, 1945, ch. 189, §§ 101, 105, 59 Stat. 238, 259.
July 5, 1945, ch. 271, title I, 59 Stat. 412.
Dec. 28, 1945, ch. 589, title I, § 101, 59 Stat. 632.
1944—June 26, 1944, ch. 277, title I, §§ 101, 104, 58 Stat. 334, 354.
June 28, 1944, ch. 304, title I, § 101, 58 Stat. 597.
Dec. 22, 1944, ch. 660, title I, § 101, 58 Stat. 853.
1943—June 28, 1943, ch. 173, title I, §§ 101, 104, 57 Stat. 220, 239.
1942—June 8, 1942, ch. 396, §§ 1, 4, 56 Stat. 330, 349.
1941—Mar. 1, 1941, ch. 9, § 1, 55 Stat. 14.
July 1, 1941, ch. 268, §§ 1, 4, 55 Stat. 446, 465.
1940—June 18, 1940, ch. 396, §§ 1, 4, 54 Stat. 462, 480.
Oct. 9, 1940, ch. 780, title I, 54 Stat. 1030.
1939—June 16, 1939, ch. 208, §§ 1, 4, 53 Stat. 822, 839.
July 25, 1939, ch. 352, § 2, 53 Stat. 1080.
1938—May 17, 1938, ch. 236, §§ 1, 4, 52 Stat. 381, 398.
June 25, 1938, ch. 681, 52 Stat. 1114.
1937—May 18, 1937, ch. 223, § 1, 50 Stat. 170.
1934—May 30, 1934, ch. 372, § 1, 48 Stat. 817.
1933—Feb. 28, 1933, ch. 134, § 1, 47 Stat. 1353.
1929—June 20, 1929, ch. 33, § 1, 46 Stat. 32.

In addition to these acts the following House Resolutions affected the salary of certain employees and

they were made permanent law by section 105 of act July 17, 1947, ch. 262, 61 Stat. 377: House Resolutions 628, 691, and 693 of the 79th Congress and House Resolutions 42, 54, 74, 78, 96, 113, and 183 [which related to Office of Coordinator of Information of the House was repealed by Pub. L. 91-510, title III, § 322, Oct. 26, 1970, 84 Stat. 1185] of the 80th Congress. House Resolutions 281 and 336 of the 80th Congress were made permanent law by act June 14, 1948, ch. 467, § 105, 62 Stat. 437. House Resolutions No. 653 of the 80th Congress, and 6, 39, 45, 62, 84, 103, 172, and 188 of the 81st Congress were made permanent law by act June 22, 1949, ch. 235, § 105, 63 Stat. 230.

LEGISLATIVE BRANCH APPROPRIATION ACTS

Pub. L. 94-440, title I, § 100, Oct. 1, 1976, 90 Stat. 1439, provided in part for the funds for operation of Congress during fiscal year 1977.

Similar provisions for the prior fiscal years were contained in acts June 22, 1949, ch. 235, §§ 101, 105, 63 Stat. 216, 230; Sept. 6, 1950, ch. 896, § 101, 64 Stat. 595; Oct. 11, 1951, ch. 485, § 101, 65 Stat. 388; July 9, 1952, ch. 598, § 101, 66 Stat. 464; Aug. 1, 1953, ch. 304, title I, § 101, 67 Stat. 318; July 2, 1954, ch. 455, title I, § 101, 68 Stat. 396; Aug. 5, 1955, ch. 568, § 1, 69 Stat. 499; June 27, 1956, ch. 453, § 101, 70 Stat. 356; July 1, 1957, Pub. L. 85-75, § 101, 71 Stat. 244; July 31, 1958, Pub. L. 85-570, § 101, 72 Stat. 439; Aug. 21, 1959, Pub. L. 86-176, § 101, 73 Stat. 398; July 12, 1960, Pub. L. 86-628, § 101, 74 Stat. 446; Aug. 10, 1961, Pub. L. 87-130, § 101, 75 Stat. 320; Oct. 2, 1962, Pub. L. 87-730, § 101, 76 Stat. 680; Dec. 30, 1963, Pub. L. 88-248, § 101, 77 Stat. 803; Aug. 20, 1964, Pub. L. 88-454, § 101, 78 Stat. 535; July 27, 1965, Pub. L. 89-90, § 101, 79 Stat. 265; Aug. 27, 1966, Pub. L. 89-545, § 101, 80 Stat. 354; July 28, 1967, Pub. L. 90-57, § 101, 81 Stat. 127; July 23, 1968, Pub. L. 90-417, § 101, 82 Stat. 398; Dec. 12, 1969, Pub. L. 91-145, § 101, 83 Stat. 339; Aug. 18, 1970, Pub. L. 91-382, § 101, 84 Stat. 807; July 9, 1971, Pub. L. 92-51, § 101, 85 Stat. 125; July 10, 1972, Pub. L. 92-342, § 101, 86 Stat. 432; Nov. 1, 1973, Pub. L. 93-145, § 101, 87 Stat. 527; Aug. 13, 1974, Pub. L. 93-371, § 101, 88 Stat. 424; July 25, 1975, Pub. L. 94-59, title I, § 100, 89 Stat. 269.

§ 60a-1. Senate pay adjustments; action by President pro tempore of Senate

(a) Each time the President adjusts the rates of pay of employees under section 5305 of title 5 the President pro tempore of the Senate shall, as he considers appropriate—

(1)(A) adjust the rates of pay of personnel whose pay is disbursed by the Secretary of the Senate, and any minimum or maximum rate applicable to any such personnel; or

(B) in the case of such personnel whose rates of pay are fixed by or pursuant to law at specific rates, adjust such rates (including the adjustment of such specific rates to maximum pay rates) and, in the case of all other personnel whose pay is disbursed by the Secretary of the Senate, adjust only the minimum or maximum rates applicable to such other personnel; and

(2) adjust any limitation or allowance applicable to such personnel;

by percentages which are equal or equivalent, insofar as practicable and with such exceptions as may be necessary to provide for appropriate pay relationships between positions, to the percentages of the adjustments made by the President under such section 5305 for corresponding rates of pay for employees subject to the General Schedule contained in section 5332 of such title. Such rates, limitations, and allowances adjusted by the President pro tempore shall become effective on the first day of the month in which any adjustment becomes effective under such section 5305 or section 3(c) of this Act.

(b) The adjustments made by the President pro tempore shall be made in such manner as he considers advisable and shall have the force and effect of law.

(c) Nothing in this section shall impair any authority pursuant to which rates of pay may be fixed by administrative action.

(d) No rate of pay shall be adjusted under the provisions of this section to an amount in excess of the rate of basic pay for level III of the Executive Schedule contained in section 5314 of title 5.

(e) For purposes of this section, the term "personnel" does not include any Senator.

(Pub. L. 91-656, § 4, Jan. 8, 1971, 84 Stat. 1952; Pub. L. 92-298, § 3(a), May 17, 1972, 86 Stat. 146; Pub. L. 92-392, § 14(a), Aug. 19, 1972, 86 Stat. 575; Pub. L. 94-82, title II, § 204(d), Aug. 9, 1975, 89 Stat. 422.)

REFERENCES IN TEXT

Section 3(c) of this Act, referred to in subsec. (a), is section 3(c) of Pub. L. 91-656, which is set out as a note under section 5305 of Title 5, Government Organization and Employees.

AMENDMENTS

1975—Subsec. (d). Pub. L. 94-82 substituted "level III" for "level V", and "section 5314 of Title 5" for "section 5316 of Title 5."

1972—Subsec. (a). Pub. L. 92-298 and Pub. L. 92-392 made identical substitutions of "first day of the month in which any adjustment becomes effective" for "first day of the first pay period which begins on or after the day on which any adjustment becomes effective" in the last sentence.

EFFECTIVE DATE OF 1972 AMENDMENT

Amendment by Pub. L. 92-392 effective on first day of first applicable pay period beginning on or after 90th day after Aug. 19, 1972, see section 15(a) of Pub. L. 92-392, set out as a note under section 5341 of Title 5, Government Organization and Employees.

DIRECTIVE OF THE PRESIDENT PRO TEMPORE OF THE SENATE OF THE UNITED STATES ESTABLISHING A SALARY INCREASE FOR OFFICERS AND EMPLOYEES OF THE SENATE OF THE UNITED STATES UNDER AUTHORITY OF THE FEDERAL PAY COMPARABILITY ACT OF 1970

OCTOBER 8, 1976

By virtue of the authority vested in me by section 4 of the Federal Pay Comparability Act of 1970 [section 60a-1 of this title], it is hereby—

Ordered,

CONVERSION TO NEW MULTIPLE

SECTION 1. (a) Except as otherwise specified in this Order or unless an annual rate of compensation of an employee whose compensation is disbursed by the Secretary of the Senate is adjusted in accordance with the provisions of this Order, the annual rate of compensation of each employee whose compensation is disbursed by the Secretary of the Senate is adjusted to that multiple of $167 which is nearest to but not less than the rate such employee was receiving on October 1, 1976, immediately prior to the application of this Order.

(b) For purposes of this Order—

(1) "employee" includes an officer other than a Senator;

(2) "annual rate of compensation" shall not include longevity compensation authorized by section

106 of the Legislative Branch Appropriation Act, 1963, as amended [section 60j of this title]; and

(3) "applicable percentage" means, with respect to annual rates and maximum annual rates of compensation (as such rates were in effect on October 1, 1976, but prior to the application of this Order)—

(A) 4.83 percent, with respect to such rates which are less than $20,000;

(B) 6.12 percent, with respect to such rates which are $20,000 or more but less than $25,000;

(C) 6.94 percent, with respect to such rates which are $25,000 or more but less than $30,000;

(D) 7.92 percent, with respect to such rates which are $30,000 or more but less than $36,000;

(E) 9.05 percent, with respect to such rates which are $36,000 or more but less than $42,000;

(F) 10.35 percent, with respect to such rates which are $42,000 or more but less than $48,000; and

(G) 11.83 percent, with respect to such rates which are $48,000 or more.

RATE INCREASES FOR SPECIFIED POSITIONS

SEC. 2. (a) The annual rates of compensation of the Secretary of the Senate, the Sergeant at Arms and Doorkeeper, and the Legislative Counsel (as such rates were increased by prior orders of the President pro tempore) are further increased by the applicable percentage, and as so increased, adjusted to the next higher multiple of $167. Notwithstanding the provisions of this subsection, an individual occupying a position whose annual rate of compensation is determined under this subsection shall not be paid at any time, by reason of the promulgation of this Order, at an annual rate in excess of either of the following: (1) the annual rate in effect for positions in level III of the Executive Schedule under section 5314 of title 5, United States Code, or (2) the annual rate of compensation which is $1,000 less than the actual annual rate of compensation of Senators.

(b) The annual rates of compensation of the Secretary for the Majority (other than the present incumbent) and the Secretary for the Minority (as such rates were increased by prior orders of the President pro tempore) are further increased by the applicable percentage, and as so increased, adjusted to the next higher multiple of $167. Notwithstanding the provisions of this subsection, an individual occupying a position whose annual rate of compensation is determined under this subsection shall not be paid at any time, by reason of the promulgation of this Order, at an annual rate of compensation in excess of either of the following: (1) $43,100, or (2) at such time as such level III is increased to more than $44,000 but less than $52,000, an annual rate of compensation in excess of $50,100, except that the annual rate of compensation shall not exceed, at any time, the next lowest multiple of $167 which is at least $500 less than the annual rate of compensation, which is now or may hereafter be in effect, for those positions referred to in subsection (a) of this section.

(c)(1) The maximum annual rate of compensation of the Secretary for the Majority (as long as that position is occupied by the present incumbent) (as such rate was increased by prior orders of the President pro tempore) is further increased by the applicable percentage, and as so increased, adjusted to the next higher multiple of $167. Notwithstanding the provisions of this paragraph, an individual occupying a position whose annual rate of compensation is determined under this paragraph shall not be paid at any time, by reason of the promulgation of this Order, at an annual rate of compensation in excess of either of the following: (1) $43,100, or (2) at such time as level III is increased to more than $44,000 but less than $52,000, an annual rate of compensation in excess of $50,100, except that the annual rate of compensation shall not exceed, at any time, the next lowest multiple of $167 which is at least $500 less than the annual rate of compensation, which is now or may hereafter be in effect, for those positions referred to in subsection (a) of this section.

(2) The annual rates of compensation of the four Senior Counsels in the Office of the Legislative Counsel and the maximum annual rates of compensation of the Assistant Secretary of the Senate, the Parliamentarian, and the Financial Clerk (as such rates were increased by prior orders of the President pro tempore) are further increased by the applicable percentage, and as so increased, adjusted to the next higher multiple of $167. Notwithstanding the provisions of this subsection, an individual occupying a position whose annual rate of compensation is determined under this subsection shall not be paid at any time, by reason of the promulgation of this Order, at an annual rate of compensation in excess of either of the following: (1) $42,585, or (2) at such time as such level III is increased to more than $44,000 but less than $52,000, an annual rate of compensation in excess of $49,599, except that the annual rate of compensation shall not exceed, at any time, the next lowest multiple of $167 which is at least $1,000 less than the annual rate of compensation, which is now or may hereafter be in effect, for those positions referred to in subsection (a) of this section.

(d)(1) The maximum annual rate of compensation of the Chief Reporter of Debates (as such rate was increased by prior orders of the President pro tempore) is further increased by the applicable percentage, and as so increased, adjusted to the next higher multiple of $167. Notwithstanding the provisions of this paragraph, an individual occupying a position whose annual rate of compensation is determined under this paragraph shall not be paid at any time, by reason of the promulgation of this Order, at an annual rate of compensation in excess of either of the following: (1) $39,746, or (2) at such time as such level III is increased to more than $44,000 but less than $52,000, an annual rate of compensation in excess of $46,927, except that the annual rate of compensation shall not exceed, at any time, the next lowest multiple of $167 which is at least $4,000 less than the annual rate of compensation, which is now or may hereafter be in effect, for those positions referred to in subsection (a) of this section.

(2) The maximum annual rates of compensation of the Administrative Assistant in the Office of the Majority Leader and the Administrative Assistant in the Office of the Minority Leader (as such rates were increased by prior orders of the President pro tempore) are further increased by the applicable percentage, and as so increased, adjusted to the next higher multiple of $167. Notwithstanding the provisions of this paragraph, an individual occupying a position whose annual rate of compensation is determined under this paragraph shall not be paid at any time, by reason of the promulgation of this Order, at an annual rate of compensation in excess of either of the following: (1) $41,750, or (2) at such time as such level III is increased to more than $44,000 but less than $52,000, an annual rate of compensation in excess of $48,096, except that the annual rate of compensation shall not exceed, at any time, the next lowest multiple of $167 which is at least $3,000 less than the annual rate of compensation, which is now or may hereafter be in effect, for those positions referred to in subsection (a) of this section.

(3) The maximum annual rates of compensation of the Assistant Secretary for the Majority and the Assistant Secretary for the Minority (as such rates were increased by prior orders of the President pro tempore) are further increased by the applicable percentage, and as so increased, adjusted to the next higher multiple of $167. Notwithstanding the provisions of this paragraph, an individual occupying a position whose annual rate of compensation is determined under this paragraph shall not be paid at any time, by reason of the promulgation of this Order, at an annual rate of compensation in excess of either of the following: (1) $41,249, or (2) at such time as such level III is increased to more than $44,000 but less than $52,000,

an annual rate of compensation in excess of $47,595, except that the annual rate of compensation shall not exceed, at any time, the next lowest multiple of $167 which is at least $3,500 less than the annual rate of compensation, which is now or may hereafter be in effect, for those positions referred to in subsection (a) of this section.

(4) The maximum annual rates of compensation of the seven Reporters of Debates in the Office of the Secretary (as such rates were increased by prior orders of the President pro tempore) are further increased by the applicable percentage, and as so increased, adjusted to the next higher multiple of $167. Notwithstanding the provisions of this paragraph, an individual occupying a position whose annual rate of compensation is determined under this paragraph shall not be paid at any time, by reason of the promulgation of this Order, at an annual rate of compensation in excess of either of the following: (1) $39,412; or (2) at such time as such level III is increased to more than $44,000 but less than $52,000, an annual rate of compensation in excess of $46,426, except that the annual rate of compensation shall not exceed, at any time, the next lowest multiple of $167 which is at least $4,400 less than the annual rate of compensation, which is now or may hereafter be in effect, for those positions referred to in subsection (a) of this section.

(5) The maximum annual rates of compensation of the Administrative Assistant in the Office of the Majority Whip and the Administrative Assistant in the Office of the Minority Whip (as such rates were increased by prior orders of the President pro tempore) are further increased by the applicable percentage, and as so increased, adjusted to the next higher multiple of $167. Notwithstanding the provisions of this paragraph, an individual occupying a position whose annual rate of compensation is determined under this paragraph shall not be paid at any time, by reason of the promulgation of this Order, at an annual rate of compensation in excess of either of the following: (1) $40,748, or (2) at such time as such level III is increased to more than $44,000 but less than $52,000, an annual rate of compensation in excess of $46,259, except that the annual rate of compensation shall not exceed, at any time, the next lowest multiple of $167 which is at least $4,800 less than the annual rate of compensation, which is now or may hereafter be in effect, for those positions referred to in subsection (a) of this section.

(6) The maximum annual rates of compensation of the Assistant to the Majority and the Assistant to the Minority in the Office of the Secretary, the Legislative Assistant in the Office of the Majority Leader, and the Legislative Assistant in the Office of the Minority Leader (as such rates were increased by prior orders of the President pro tempore) are further increased by the applicable percentage, and as so increased, adjusted to the next higher multiple of $167. Notwithstanding the provisions of this paragraph, an individual occupying a position whose annual rate of compensation is determined under this paragraph shall not be paid at any time, by reason of the promulgation of this Order, at an annual rate of compensation in excess of either of the following: (1) $40,247, or (2) at such time as such level III is increased to more than $44,000 but less than $52,000, an annual rate of compensation in excess of $44,589, except that the annual rate of compensation shall not exceed, at any time, the next lowest multiple of $167 which is at least $6,000 less than the annual rate of compensation, which is now or may hereafter be in effect, for those positions referred to in subsection (a) of this section.

(7) The maximum annual rate of compensation of the Deputy Sergeant at Arms and Doorkeeper is increased by the applicable percentage, and as so increased, adjusted to the next higher multiple of $167. Notwithstanding the provisions of this paragraph, an individual occupying a position whose annual rate of compensation is determined under this paragraph shall not be paid at any time, by reason of the promulgation of this Order, at an annual rate of compensation in excess of $41,750, until such time as such level III is increased to more than $44,000.

(8) The maximum annual rates of compensation of the Assistant Parliamentarian, the Legislative Clerk, and the Journal Clerk (as such rates were increased by prior orders of the President pro tempore) are further increased by the applicable percentage, and as so increased, adjusted to the next higher multiple of $167. Notwithstanding the provisions of this paragraph, an individual occupying a position whose annual rate of compensation is determined under this paragraph shall not be paid at any time, by reason of the promulgation of this Order, at an annual rate of compensation in excess of $38,076 until such time as such level III is increased to more than $44,000.

(9) The maximum annual rates of compensation of the Legislative Assistant in the Office of the Majority Whip, the Legislative Assistant in the Office of the Minority Whip, the Administrative Assistant in the Office of the Sergeant at Arms, and the Assistant Legislative Clerk (as such rates were increased by prior orders of the President pro tempore) are further increased by the applicable percentage, and as so increased, adjusted to the next higher multiple of $167. Notwithstanding the provisions of this paragraph, an individual occupying a position whose annual rate of compensation is determined under this paragraph shall not be paid at any time, by reason of the promulgation of this order, at an annual rate of compensation in excess of $38,577, $38,410, and $36,907, respectively, until such time as such level III is increased to more than $44,000.

(10) The maximum annual rate of compensation of the Director of the Senate Recording Studio (as such rate was increased by prior orders of the President pro tempore) and the maximum annual rates of compensation of the Superintendent of the Senate Service Department and the Director of the Senate Computer Center are further increased by the applicable percentage, and as so increased, adjusted to the next higher multiple of $167. Notwithstanding the provisions of this paragraph, an individual occupying a position whose annual rate of compensation is determined under this paragraph shall not be paid at any time, by reason of the promulgation of this Order, at an annual rate of compensation in excess of $37,074 until such time as such level III is increased to more than $44,000.

(11) The maximum annual rates of compensation of the Curator of Art and Antiquities of the Senate and the Editor, Digest in the Office of the Secretary (as such rates were increased by prior orders of the President pro tempore) are further increased by the applicable percentage, and as so increased, adjusted to the next higher multiple of $167. Notwithstanding the provisions of this paragraph, an individual occupying a position whose annual rate of compensation is determined under this paragraph shall not be paid at any time, by reason of the promulgation of this Order, at an annual rate of compensation in excess of $35,738 until such time as such level III is increased to more than $44,000.

(12) The maximum annual rate of compensation of the Postmaster of the Senate (as such rate was increased by prior orders of the President pro tempore) is further increased by the applicable percentage, and as so increased, adjusted to the next higher multiple of $167. Notwithstanding the provisions of this paragraph, an individual occupying a position whose annual rate of compensation is determined under this paragraph shall not be paid at any time, by reason of the promulation of this Order, at an annual rate of compensation in excess of $35,070 until such time as such level III is increased to more than $44,000.

CHAPLAIN'S OFFICE

SEC. 3. The annual rate of compensation of the Chaplain and the maximum annual rate of compensation for the position of secretary to the Chaplain (as in effect immediately prior to October 1, 1976) are in-

creased by the applicable percentage, and as so increased, adjusted to the next higher multiple of $167.

OFFICES OF THE SENATE

SEC. 4. (a) Any specific rate of compensation established by law, as such rate has been increased by or pursuant to law, for any position under the jurisdiction of the Sergeant at Arms shall be considered as the maximum annual rate of compensation for that position. Each such maximum annual rate is increased by the applicable percentage, and as so increased, adjusted to the next higher multiple of $167.

(b) The maximum annual rates of compensation for positions or classes of positions (other than those positions referred to in sections 2(c) and (d) of this Order) under the jurisdiction of the Majority and Minority Leaders, the Majority and Minority Whips, the Secretary of the Senate, the Secretary for the Majority, and the Secretary for the Minority are increased by the applicable percentage, and as so increased, adjusted to the next higher multiple of $167.

(c) The following individuals are authorized to increase the annual rates of compensation of the employees specified by the applicable percentage, and as so increased, adjusted to the next higher multiple of $167:

(1) the Vice President, for any employee under his jurisdiction;

(2) the Majority Leader, the Minority Leader, the Majority Whip, and the Minority Whip, for any employee under the jurisdiction of that Leader or Whip (subject to the provisions of section 2(d) of this Order);

(3) the Majority Leader, for the Secretary for the Majority so long as the position is occupied by the present incumbent (subject to the provisions of section 2(c)(1) of this Order);

(4) the Secretary of the Senate, for any employee under his jurisdiction (subject to the provisions of section 2(c)(2) and (d) of this Order);

(5) the Sergeant at Arms, for any employee under his jurisdiction (subject to the provisions of section 2(d) of this Order);

(6) the Chaplain, for his secretary;

(7) the Legislative Counsel, subject to the approval of the President pro tempore, for any employee in that Office (other than the four Senior Counsel);

(8) the Secretary for the Majority and the Secretary for the Minority, for any employee under the jurisdiction of that Secretary (subject to the provisions of section 2(d) of this Order); and

(9) the Capitol Guide Board, for the Chief Guide, the Assistant Chief Guide, and the Guides of the Capitol Guide Service.

(d) The figure "$954", appearing in the first sentence of section 106(b) of the Legislative Branch Appropriation Act, 1963, as amended [section 60j(b) of this title] (as provided in section 4(d) of the Order of the President pro tempore of October 2, 1975), shall be deemed to refer to the figure "$1,002".

(e) The limitation on the rate per hour per person provided by applicable law immediately prior to October 1, 1976, with respect to the folding of speeches and pamphlets for the Senate, is increased by 4.83 percent. The amount of such increase shall be computed to the nearest cent, counting one-half cent and over as a whole cent.

COMMITTEE STAFFS

SEC. 5. (a) Subject to the provision of section 105 of the Legislative Branch Appropriation Act, 1968, as amended [enacting section 61-1 of this title and amending section 60j of this title and section 5533 of Title 5] (as modified by this Order), and the other provisions of this Order, the chairman of any standing, special, or select committee of the Senate (including the majority and minority policy committees and the conference majority and conference minority of the Senate), and the chairman of any joint committee of the Congress whose funds are disbursed by the Secretary of the Senate are each authorized to increase the annual rate of compensation of any employee of the committee, or subcommittee thereof, of which he is chairman, by the applicable percentage, and as so increased, adjusted to the next higher multiple of $167.

(b)(1) The figures "$18,762" and "$27,666" appearing in section 105(e) of the Legislative Branch Appropriation Act, 1968, as amended [section 61-1(e) of this title] (as provided in section 5(b)(1) of the Order of the President pro tempore of October 2, 1975), shall be deemed to refer to the figures "$19,706" and "$29,726", respectively.

(2) The maximum annual rates of "$44,679", "$46,587", and "$48,654" appearing in such section 105(e) [section 61-1(e) of this title] (as provided in section 5(b)(2) of such Order of October 2, 1975) are each further increased by the applicable percentage, and as so increased, adjusted to the next higher multiple of $167, and shall be deemed to refer to the figures "$49,432", "$51,436", and "$54,275", respectively.

(3)(A) Notwithstanding the provisions of paragraph (2) of this subsection, any individual occupying a position on the staff of a standing committee of the Senate or the majority or minority policy committee of the Senate to which any such rate applies or to any position to which such rate was made applicable by section 110(b) of title I of the Legislative Branch Appropriation Act, 1977, shall not be paid at any time at an annual rate in excess of $37,742, $39,412, or $41,750, respectively, as long as the annual rate of basic pay for positions in level III of the Executive Schedule under section 5314 of title 5, United States Code, is $44,000.

(B) Notwithstanding the provisions of paragraph (2) of this subsection, when the annual rate for such level III is increased to more than $44,000, but less than $52,000, an individual occupying a position on the staff of any such committee (i) to which the rate "$49,432" applies shall not be paid at any time at an annual rate in excess of $44,088, (ii) to which the rate "$51,436" applies shall not be paid at any time at an annual rate in excess of $46,259, and (iii) to which the rate "$54,275" applies shall not be paid at any time at an annual rate in excess of $48,931, except that such annual rates of compensation shall not exceed, at any time, the next lowest multiple of $167 which is at least $6,000, $4,600, and $2,000, respectively, less than the annual rate of compensation, which is now or may hereafter be in effect, for those positions referred to in section 2(a) of this Order.

(4)(A) Notwithstanding the provisions of paragraph (2) of this subsection, any individual occupying a position on the staff of any special or select committee of the Senate and the conference majority and conference minority of the Senate to which any such rate applies shall not be paid at any time at an annual rate in excess of $37,742, $39,412, or $41,249, respectively, as long as the annual rate of basic pay for positions in such level III is $44,000.

(B) Notwithstanding the provisions of paragraph (2) of this subsection, when the annual rate for such level III is increased to more than $44,000 but less than $52,000, an individual occupying a position on the staff of any such committee (i) to which the rate "$49,432" applies shall not be paid at any time at an annual rate in excess of $44,088, (ii) to which the rate "$51,436" applies shall not be paid at any time at an annual rate in excess of $46,259, and (iii) to which the rate "$54,275" applies shall not be paid at any time at an annual rate in excess of $48,430, except that such annual rates of compensation shall not exceed, at any time, the next lowest multiple of $167 which is at least $6,000, $4,600, and $2,500, respectively, less than the annual rate of compensation, which is now or may hereafter be in effect, for those positions referred to in section 2(a) of this Order.

(5)(A) Notwithstanding the provisions of paragraph (2) of this subsection, any individual occupying a position on the staff of any joint committee of the Congress having legislative authority and whose funds are disbursed by the Secretary of the Senate to which any such rate applies shall not be paid at any time at an

annual rate in excess of $37,742, $39,412, or $41,750, respectively, as long as the annual rate of basic pay for positions in such level III is $44,000.

(B) Notwithstanding the provisions of paragraph (2) of this subsection, when the annual rate for such level III is increased to more than $44,000, but less than $52,000, an individual occupying a position on the staff of any such joint committee (i) to which the rate "$49,432" applies shall not be paid at any time at an annual rate in excess of $44,088, (ii) to which the rate "$51,436" applies shall not be paid at any time at an annual rate in excess of $46,259, and (iii) to which the rate "$54,275" applies shall not be paid at any time at an annual rate in excess of $48,931, except that such annual rates of compensation shall not exceed, at any time, the next lowest multiple of $167 which is at least $6,000, $4,600, and $2,000, respectively, less than the annual rate of compensation, which is now or may hereafter be in effect, for those positions referred to in section 2(a) of this Order.

(6)(A) Notwithstanding the provisions of paragraph (2) of this subsection, any individual occupying a position on the staff of any joint committee of the Congress (other than those joint committees having legislative authority) whose funds are disbursed by the Secretary of the Senate to which any such rate applies shall not be paid at any time at an annual rate in excess of $37,742, $38,577, or $39,746, respectively, as long as the annual rate of basic pay for positions in such level III is $44,000.

(B) Notwithstanding the provisions of paragraph (2) of this subsection, when the annual rate for such level III is increased to more than $44,000, but less than $52,000, an individual occupying a position on the staff of any such joint committee (i) to which the rate "$49,432" applies shall not be paid at any time at an annual rate in excess of $44,088, (ii) to which the rate "$51,436" applies shall not be paid at any time at an annual rate in excess of $46,002, and (iii) to which the rate "$54,275" applies shall not be paid at any time at an annual rate in excess of $47,762, except that such annual rates of compensation shall not exceed, at any time, the next lowest multiple of $167 which is at least $6,000, $4,800, and $3,000, respectively, less than the annual rate of compensation, which is now or may hereafter be in effect, for those positions referred to in section 2(a) of this Order.

SENATORS' OFFICES

SEC. 6. (a) Subject to the provisions of section 105 of the Legislative Branch Appropriation Act, 1968, as amended [enacting section 61-1 of this title and amending section 60j of this title and section 5533 of Title 5] (as modified by this Order), and the other provisions of this Order, each Senator is authorized to increase the annual rate of compensation of any employee in his office by the applicable percentage, and as so increased, adjusted to the next higher multiple of $167.

(b) The table contained in section 105(d)(1) of such Act [section 61-1(d)(1) of this title] shall be deemed to read as follows:

"$449,063 if the population of his State is less than 2,000,000;

"$462,089 if such population is 2,000,000 but less than 3,000,000;

"$493,485 if such population is 3,000,000 but less than 4,000,000;

"$533,899 if such population is 4,000,000 but less than 5,000,000;

"$566,965 if such population is 5,000,000 but less than 7,000,000;

"$601,701 if such population is 7,000,000 but less than 9,000,000;

"$639,443 if such population is 9,000,000 but less than 10,000,000;

"$668,501 if such population is 10,000,000 but less than 11,000,000;

"$706,577 if such population is 11,000,000 but less than 12,000,000;

"$735,635 if such population is 12,000,000 but less than 13,000,000;

"$772,709 if such population is 13,000,000 but less than 15,000,000;

"$809,783 if such population is 15,000,000 but less than 17,000,000;

"$846,857 if such population is 17,000,000 but less than 19,000,000;

"$874,579 if such population is 19,000,000 but less than 21,000,000;

"$902,301 if such population is 21,000,000 or more.".

(c)(1) The second sentence of section 105(d)(2) of such Act [section 61-1(d)(2) of this title] is modified to read as follows: "The salary of an employee in a Senator's office shall not be fixed under this paragraph at a rate less than $1,169 per annum or in excess of $27,221 per annum except that (i) the salaries of five employees may be fixed at rates of not more than $47,929 per annum, and (ii) the salary of one employee may be fixed at a rate of not more than $50,100 per annum.".

(2) Notwithstanding the modification made by paragraph (1) of this subsection, any individual occupying a position to which a rate referred to in clause (i) or (ii) of such modification applies shall not be paid at any time at an annual rate exceeding $38,577 or $41,750, respectively, as long as the annual rate of basic pay for positions at level III of the Executive Schedule under section 5314 of title 5, United States Code, is $44,000.

(3) Notwithstanding the modification made by paragraph (1) of this subsection, if the annual rate for such level III is increased to more than $44,000, but less than $52,000, an individual occupying a position to which a rate referrred to in such clause (i) or (ii) applies shall not be paid at any time, by reason of the promulgation of this Order, at an annual rate in excess of (A) in the case of an individual to whom the rate under such clause (i) applies, $44,756, and (B) in the case of an individual to whom the rate under clause (ii) applies, $48,096, except that such annual rates of compensation shall not exceed, at any time, the next lowest multiple of $167 which is at least $5,500 and $2,500, respectively, less than the annual rate of compensation, which is now or may hereafter be in effect, for those positions referred to in section 2(a) of this Order.

GENERAL LIMITATION

SEC. 7. (a) The figure "$1,113" appearing in section 105(f) of the Legislative Branch Appropriation Act, 1968, as amended [section 61-1(f) of this title] (as provided in section 7(a) of the Order of the President pro tempore of October 2, 1975) shall be deemed to refer to the figure "$1,169".

(b)(1) The maximum annual rate of compensation of "$48,654" appearing in such section (as provided in section 7(b)(1) of such Order of October 2, 1975) is further increased by the applicable percentage, and as so increased, adjusted to the next higher multiple of $167, and shall be deemed to refer to the figure "$54,275".

(2) Notwithstanding the provisions of paragraph (1) of this subsection, any individual occupying a position to which such rate applies shall not be paid at any time at an annual rate exceeding $41,750 as long as the annual rate of basic pay for positions at level III of the Executive Schedule under section 5314 of title 5, United States Code, is $44,000.

(3) Notwithstanding the provisions of paragraph (1) of this subsection, when the annual rate for such level III is increased to more than $44,000, but less than $52,000, any individual occupying a position to which such rate applies shall not be paid at any time at an annual rate in excess of $48,326, except that the annual rate of compensation shall not exceed, at any time, the next lowest multiple of $167 which is at least $2,500 less than the annual rate of compensation, which is now or may hereafter be in effect, for those positions referred to in section 2(a) of this Order.

NOTIFYING DISBURSING OFFICE OF INCREASES

SEC. 8. (a) In order for an employee to be paid an increase in the annual rate of his compensation under authority given by this Order, the individual designated by section 4, 5, or 6 to authorize an increased rate of compensation for that employee shall notify the disbursing office of the Senate in writing that he authorizes an increase in such rate for that employee (which may not exceed the increase authorized by this Order) and the date on which that increase is to be effective. Such increase shall become effective as provided in section 105(a)(2) of the Legislative Branch Appropriation Act, 1968 [section 61-1(a) of this title], except that if the notice required by the preceding sentence is given on or before October 20, 1976, such increase may become effective on or after October 1, 1976.

(b) Subsection (a) shall not apply to any employee to whom section 2(a) or (b) applies or to the four Senior Counsel in the Office of the Legislative Counsel.

DUAL COMPENSATION

SEC. 9. The figure "$10,540" contained in section 5533(c)(1) of title 5, United States Code, shall be deemed to refer to the figure "$11,050."

EFFECTIVE DATE

SEC. 10. Sections 1-9 of this Order are effective October 1, 1976.

JAMES O. EASTLAND,
President pro tempore.

DIRECTIVE OF THE PRESIDENT PRO TEMPORE OF THE SENATE OF THE UNITED STATES ESTABLISHING A SALARY INCREASE FOR OFFICERS AND EMPLOYEES OF THE SENATE OF THE UNITED STATES UNDER AUTHORITY OF THE FEDERAL PAY COMPARABILITY ACT OF 1970

OCTOBER 2, 1975

By virtue of the authority vested in me by section 4 of the Federal Pay Comparability Act of 1970 [section 60a-1 of this title], it is hereby—

Ordered,

CONVERSION TO NEW MULTIPLE

SECTION 1. (a) Except as otherwise specified in this Order or unless an annual rate of compensation of an employee whose compensation is disbursed by the Secretary of the Senate is adjusted in accordance with the provisions of this Order, the annual rate of compensation of each employee whose compensation is disbursed by the Secretary of the Senate is adjusted to that multiple of $159 which is nearest to but not less than the rate such employee was receiving immediately prior to October 1, 1975.

(b) For purposes of this Order—

(1) "employee" includes an officer other than a Senator; and

(2) "annual rate of compensation" shall not include longevity compensation authorized by section 106 of the Legislative Branch Appropriation Act, 1963, as amended [section 60j of this title].

RATE INCREASES FOR SPECIFIED POSITIONS

SEC. 2. (a) The annual rates of compensation of the Secretary of the Senate, the Sergeant at Arms and Doorkeeper, and the Legislative Counsel (as such rates were increased by prior orders of the President pro tempore) are further increased by 5 percent, and as so increased, adjusted to the next higher multiple of $159. Notwithstanding the provisions of this subsection, an individual occupying a position whose annual rate of compensation is determined under this subsection shall not be paid at any time, by reason of the promulgation of this Order, at an annual rate in excess of either of the following: (1) the annual rate in effect for positions in level III of the Executive Schedule under section 5314 of title 5, United States Code, or (2) an annual rate of compensation which is $1,500 less than the annual rate of compensation, which is now or may hereafter be in effect, for Members of Congress.

(b) The annual rates of compensation of the Secretary for the Majority (other than the present incumbent) and the Secretary for the Minority (as such rates were increased by prior orders of the President pro tempore) are further increased by 5 percent, and as so increased, adjusted to the next higher multiple of $159. Notwithstanding the provisions of this subsection, an individual occupying a position whose annual rate of compensation is determined under this subsection shall not be paid at any time, by reason of the promulgation of this Order, at an annual rate of compensation in excess of either of the following: (1) $41,500, or (2) at such time as such level III is increased to more than $42,000 but less than $48,000, an annual rate of compensation in excess of $46,269, except that the annual rate of compensation shall not exceed, at any time, the next lowest multiple of $159 which is at least $500 less than the annual rate of compensation, which is now or may hereafter be in effect, for those positions referred to in subsection (a) of this section.

(c)(1) The maximum annual rate of compensation of the Secretary for the Majority (as long as that position is occupied by the present incumbent) (as such rate was increased by prior orders of the President pro tempore) is further increased by 5 percent, and as so increased, adjusted to the next higher multiple of $159. Notwithstanding the provisions of this paragraph, an individual occupying a position whose annual rate of compensation is determined under this paragraph shall not be paid at any time, by reason of the promulgation of this Order, at an annual rate of compensation in excess of either of the following: (1) $41,500, or (2) at such time as level III is increased to more than $42,000 but not less than $48,000, an annual rate of compensation in excess of $46,269, except that the annual rate of compensation shall not exceed, at any time, the next lowest multiple of $159 which is at least $500 less than the annual rate of compensation, which is now or may hereafter be in effect, for those positions referred to in subsection (a) of this section.

(2) The annual rates of compensation of the four Senior Counsel in the Office of the Legislative Counsel and the maximum annual rates of compensation of the Assistant Secretary of the Senate, the Parliamentarian, and the Financial Clerk (as such rates were increased by prior orders of the President pro tempore) are further increased by 5 percent, and as so increased, adjusted to the next higher multiple of $159. Notwithstanding the provisions of this subsection, an individual occupying a position whose annual rate of compensation is determined under this subsection shall not be paid at any time, by reason of the promulgation of this Order, at an annual rate of compensation in excess of either of the following: (1) $41,022, or (2) at such time as such level III is increased to more than $42,000 but less than $48,000, an annual rate of compensation in excess of $45,792, except that the annual rate of compensation shall not exceed, at any time, the next lowest multiple of $159 which is at least $1,000 less than the annual rate of compensation, which is now or may hereafter be in effect, for those positions referred to in subsection (a) of this section.

(d)(1) The maximum annual rate of compensation of the Chief Reporter of Debates (as such rate was increased by prior orders of the President pro tempore) is further increased by 5 percent, and as so increased, adjusted to the next higher multiple of $159. Notwithstanding the provisions of this paragraph, an individual occupying a position whose annual rate of compensation is determined under this paragraph shall not be paid at any time, by reason of the promulgation of this Order, at an annual rate of compensation in excess of either of the following: (1) $38,001, or (2) at such time as such level III is increased to more than $42,000 but less than $48,000, an annual rate of compensation in excess of $43,248, except that the annual rate of compensation shall not exceed, at any time, the next lowest multiple of $159 which is at least

$3,600 less than the annual rate of compensation, which is now or may hereafter be in effect, for those positions referred to in subsection (a) of this section.

(2) The maximum annual rates of compensation of the Administrative Assistant in the Office of the Majority Leader and the Administrative Assistant in the Office of the Minority Leader (as such rates were increased by prior orders of the President pro tempore) are further increased by 5 percent, and as so increased, adjusted to the next higher multiple of $159. Notwithstanding the provisions of this paragraph, an individual occupying a position whose annual rate of compensation is determined under this paragraph shall not be paid at any time, by reason of the promulgation of this Order, at an annual rate of compensation in excess of either of the following: (1) $39,909, or (2) at such time as such level III is increased to more than $42,000 but less than $48,000, an annual rate of compensation in excess of $44,361, except that the annual rate of compensation shall not exceed, at any time, the next lowest multiple of $159 which is at least $2,500 less than the annual rate of compensation, which is now or may hereafter be in effect, for those positions referred to in subsection (a) of this section.

(3) The maximum annual rates of compensation of the Assistant Secretary for the Majority and the Assistant Secretary for the Minority (as such rates were increased by prior orders of the President pro tempore) are further increased by 5 percent, and as so increased, adjusted to the next higher multiple of $159. Notwithstanding the provisions of this paragraph, an individual occupying a position whose annual rate of compensation is determined under this paragraph shall not be paid at any time, by reason of the promulgation of this Order, at an annual rate of compensation in excess of either of the following: (1) $39,432, or (2) at such time as such level III is increased to more than $42,000 but less than $48,000, an annual rate of compensation in excess of $43,884, except that the annual rate of compensation shall not exceed, at any time, the next lowest multiple of $159 which is at least $3,000 less than the annual rate of compensation, which is now or may hereafter be in effect, for those positions referred to in subsection (a) of this section.

(4) The maximum annual rates of compensation of the seven Reporters of Debates in the Office of the Secretary (as such rates were increased by prior orders of the President pro tempore) are further increased by 5 percent, and as so increased, adjusted to the next higher multiple of $159. Notwithstanding the provisions of this paragraph, an individual occupying a position whose annual rate of compensation is determined under this paragraph shall not be paid at any time, by reason of the promulgation of this Order, at an annual rate of compensation in excess of either of the following: (1) $37,842, or (2) at such time as such level III is increased to more than $42,000 but less than $48,000, an annual rate of compensation in excess of $42,771, except that the annual rate of compensation shall not exceed, at any time, the next lowest multiple of $159 which is at least $4,000 less than the annual rate of compensation, which is now or may hereafter be in effect, for those positions referred to in subsection (a) of this section.

(5) The maximum annual rates of compensation of the Administrative Assistant in the Office of the Majority Whip and the Administrative Assistant in the Office of the Minority Whip (as such rates were increased by prior orders of the President pro tempore) are further increased by 5 percent, and as so increased, adjusted to the next higher multiple of $159. Notwithstanding the provisions of this paragraph, an individual occupying a position whose annual rate of compensation is determined under this paragraph shall not be paid at any time, by reason of the promulgation of this Order, at an annual rate of compensation in excess of either of the following: (1) $38,955, or (2) at such time as such level III is increased to more than $42,000 but less than $48,000, an annual rate of compensation in excess of $42,453, except that the annual rate of compensation shall not exceed, at any time, the next lowest multiple of $159 which is at least $4,400 less than the annual rate of compensation, which is now or may hereafter be in effect, for those positions referred to in subsection (a) of this section.

(6) The maximum annual rates of compensation of the Assistant to the Majority and the Assistant to the Minority in the Office of the Secretary, the Legislative Assistant in the Office of the Majority Leader, and the Legislative Assistant in the Office of the Minority Leader (as such rates were increased by prior orders of the President pro tempore) are further increased by 5 percent, and as so increased, adjusted to the next higher multiple of $159. Notwithstanding the provisions of this paragraph, an individual occupying a position whose annual rate of compensation is determined under this paragraph shall not be paid at any time, by reason of the promulgation of this Order, at an annual rate of compensation in excess of $38,478 until such time as such level III is increased to more than $42,000.

(7) The maximum annual rates of compensation of the Assistant Parliamentarian, the Legislative Clerk, and the Journal Clerk (as such rates were increased by prior orders of the President pro tempore) are further increased by 5 percent, and as so increased, adjusted to the next higher multiple of $159. Notwithstanding the provisions of this paragraph, an individual occupying a position whose annual rate of compensation is determined under this paragraph shall not be paid at any time, by reason of the promulgation of this Order, at an annual rate of compensation in excess of $36,411 until such time as such level III is increased to more than $42,000.

(8) The maximum annual rates of compensation of the Assistant Legislative Clerk, the Administrative Assistant in the Office of the Sergeant at Arms, and the Deputy Sergeant at Arms (as such rates were increased by prior orders of the President pro tempore) are further increased by 5 percent, and as so increased, adjusted to the next higher multiple of $159. Notwithstanding the provisions of this paragraph, an individual occupying a position whose annual rate of compensation is determined under this paragraph shall not be paid at any time, by reason of the promulgation of this Order, at an annual rate of compensation in excess of $35,298 until such time as such level III is increased to more than $42,000.

(9) The maximum annual rates of compensation of the Curator of Art and Antiquities of the Senate and the Editor, digest in the Office of the Secretary (as such rates were increased by prior orders of the President pro tempore) are further increased by 5 percent, and as so increased, adjusted to the next higher multiple of $159. Notwithstanding the provisions of this paragraph, an individual occupying a position whose annual rate of compensation is determined under this paragraph shall not be paid at any time, by reason of the promulgation of this Order, at an annual rate of compensation in excess of $34,026 until such time as such level III is increased to more than $42,000.

(10) The maximum annual rates of compensation of the Director of the Senate Recording Studio and the Postmaster of the Senate (as such rates were increased by prior orders of the President pro tempore) are further increased by 5 percent, and as so increased, adjusted to the next higher multiple of $159. Notwithstanding the provisions of this paragraph, an individual occupying the position of Director of the Senate Recording Studio or Postmaster of the Senate, the annual rate of compensation for which is determined under this paragraph, shall not be paid at any time, by reason of the promulgation of this Order, at an annual rate of compensation in excess of $34,662 or $33,390, respectively, until such time as such level III is increased to more than $42,000.

CHAPLAIN'S OFFICE

SEC. 3. The annual rate of compensation of the Chaplain and the maximum annual rate of compensation for the position of secretary to the Chaplain (as in effect immediately prior to October 1, 1975) are in-

creased by 5 percent, and as so increased, adjusted to the next higher multiple of $159.

OFFICES OF THE SENATE

SEC. 4. (a) Any specific rate of compensation established by law, as such rate has been increased by or pursuant to law, for any position under the jurisdiction of the Sergeant at Arms shall be considered as the maximum annual rate of compensation for that position. Each such maximum annual rate is increased by 5 percent, and as so increased, adjusted to the next higher multiple of $159.

(b) The maximum annual rates of compensation for positions or classes of positions (other than those positions referred to in sections 2(c) and (d) of this Order) under the jurisdiction of the Majority and Minority Leaders, the Majority and Minority Whips, the Secretary of the Senate, the Secretary for the Majority, and the Secretary for the Minority are increased by 5 percent, and as so increased, adjusted to the next higher multiple of $159.

(c) The following individuals are authorized to increase the annual rates of compensation of the employees specified by 5 percent, and as so increased, adjusted to the next higher multiple of $159:

(1) the Vice President for any employee under his jurisdiction;

(2) the Majority Leader, the Minority Leader, the Majority Whip, and the Minority Whip, for any employee under the jurisdiction of that Leader or Whip (subject to the provisions of section 2(d) of this Order);

(3) the Majority Leader, for the Secretary for the Majority so long as the position is occupied by the present incumbent (subject to the provisions of section 2(c)(1) of this Order);

(4) the Secretary of the Senate, for any employee under his jurisdiction (subject to the provisions of section 2(c)(2) and (d) of this Order);

(5) the Sergeant at Arms, for any employee under his jurisdiction (subject to the provisions of section 2(d) of this Order);

(6) the Chaplain, for his secretary;

(7) the Legislative Counsel, subject to the approval of the President pro tempore, for any employee in that Office (other than the four Senior Counsel);

(8) the Secretary for the Majority and the Secretary for the Minority, for any employee under the jurisdiction of that Secretary (subject to the provisions of section 2(d) of this Order); and

(9) the Capitol Guide Board, for the Chief Guide, the Assistant Chief Guide, and the Guides of the Capitol Guide Service.

(d) The figure "$906", appearing in the first sentence of section 106(b) of the Legislative Branch Appropriation Act, 1963, as amended [section 60j(b) of this title] (as provided in section 4(d) of the Order of the President pro tempore of October 7, 1974), shall be deemed to refer to the figure "$954".

(e) The limitation on the rate per hour per person provided by applicable law immediately prior to October 1, 1975, with respect to the folding of speeches and pamphlets for the Senate, is increased by 5 percent. The amount of such increase shall be computed to the nearest cent, counting one-half cent and over as a whole cent.

COMMITTEE STAFFS

SEC. 5. (a) Subject to the provision of section 105 of the Legislative Branch Appropriation Act, 1968, as amended [enacting section 61-1 of this title and amending section 60j of this title and section 5533 of Title 5, Government Organization and Employees] (as modified by this Order), and the other provisions of this Order, the chairman of any standing, special, or select committee of the Senate (including the majority and minority policy committees and the conference majority and conference minority of the Senate), and the chairman of any joint committee of the Congress whose funds are disbursed by the Secretary of the Senate are each authorized to increase the annual rate of compensation of any employee of the committee, or subcommittee thereof, of which he is chairman, by 5 percent, and as so increased, adjusted to the next higher multiple of $159.

(b)(1) The figures "$17,818" and "$26,274" appearing in section 105(e) of the Legislative Branch Appropriation Act, 1968, as amended [section 61-1(e) of this title] (as provided in section 5(b)(1) of the Order of the President pro tempore of October 7, 1974), shall be deemed to refer to the figures "$18,762" and "$27,666", respectively.

(2) The maximum annual rates of "$42,431", "$44,243", and "$46,206" appearing in such section 105(e) [section 61-1(e) of this title] (as provided in section 5(b)(2) of such Order of October 7, 1974) are each further increased by 5 percent, and as so increased, adjusted to the next higher multiple of $159, and shall be deemed to refer to the figures "$44,679", "$46,587", and "$48,654", respectively.

(3)(A) Notwithstanding the provisions of paragraph (2) of this subsection, any individual occupying a position on the staff of a standing committee of the Senate or the majority or minority policy committee of the Senate to which any such rate applies or to any position to which such rate was made applicable by section 105 of title I of the Legislative Branch Appropriation Act, 1976 [section 105 of Pub. L. 94-59, set out in part as a note under section 61-1 of this title], shall not be paid at any time at an annual rate in excess of $35,775, $37,524, or $39,909, respectively, as long as the annual rate of basic pay for positions in level III of the Executive Schedule under section 5314 of title 5, United States Code, is $42,000.

(B) Notwithstanding the provisions of paragraph (2) of this subsection, when the annual rate for such level III is increased to more than $42,000, but less than $48,000, an individual occupying a position on the staff of any such committee (i) to which the rate "$44,679" applies shall not be paid at any time at any annual rate in excess of $40,545, (ii) to which the rate "$46,587" applies shall not be paid at any time at an annual rate in excess of $42,612, and (iii) to which the rate "$48,654" applies shall not be paid at any time at an annual rate in excess of $45,156, except that the annual rate of compensation shall not exceed, at any time, the next lowest multiple of $159 which is at least $1,700 less than the annual rate of compensation, which is now or may hereafter be in effect, for those positions referred to in section 2(a) of this Order.

(4)(A) Notwithstanding the provisions of paragraph (2) of this subsection, any individual occupying a position on the staff of any special or select committee of the Senate and the conference majority and conference minority of the Senate to which any such rate applies shall not be paid at any time at an annual rate in excess of $35,775, $37,524, or $39,432, respectively, as long as the annual rate of basic pay for positions in such level III is $42,000.

(B) Notwithstanding the provisions of paragraph (2) of this subsection, when the annual rate for such level III is increased to more than $42,000, but less than $48,000, an individual occupying a position on the staff of any such committee (i) to which the rate "$44,679" applies shall not be paid at any time at an annual rate in excess of $39,909, (ii) to which the rate "$46,587" applies shall not be paid at any time at an annual rate in excess of $41,976, and (iii) to which the rate "$48,654" applies shall not be paid at any time at an annual rate in excess of $44,520, except that the annual rate of compensation shall not exceed, at any time, the next lowest multiple of $159 which is at least $2,300 less than the annual rate of compensation, which is now or may hereafter be in effect, for those positions referred to in section 2(a) of this Order.

(5)(A) Notwithstanding the provisions of paragraph (2) of this subsection, any individual occupying a position on the staff of any joint committee of the Congress whose funds are disbursed by the Secretary of the Senate to which any such rate applies shall not be paid at any time at an annual rate in excess of $35,775, $36,729, or $37,842, respectively, as long as the annual

rate of basic pay for positions in such level III is $42,000.

(B) Notwithstanding the provisions of paragraph (2) of this subsection, when the annual rate for such level III is increased to more than $42,000, but less than $48,000, an individual occupying a position on the staff of any such joint committee (i) to which the rate "$44,679" applies shall not be paid at any time at an annual rate in excess of $39,909, (ii) to which the rate "$46,587" applies shall not be paid at any time at an annual rate in excess of $41,817, and (iii) to which the rate "$48,654" applies shall not be paid at any time at an annual rate in excess of $43,884, except that the annual rate of compensation shall not exceed, at any time, the next lowest multiple of $159 which is at least $3,000 less than the annual rate of compensation, which is now or may hereafter be in effect, for those positions referred to in section 2(a) of this Order.

SENATORS' OFFICES

SEC. 6. (a) Subject to the provisions of section 105 of the Legislative Branch Appropriation Act, 1968, as amended [enacting section 61-1 of this title and amending section 60j of this title and section 5533 of Title 5, Government Organization and Employees] (as modified by this Order), and the other provisions of this Order, each Senator is authorized to increase the annual rate of compensation of any employee in his office by 5 percent, and as so increased, adjusted to the next higher multiple of $159.

(b) The table contained in section 105(d)(1) of such Act [section 61-1(d)(1) of this title] shall be deemed to read as follows:

"$413,082 if the population of his State is less than 2,000,000;

"$425,484 if such population is 2,000,000 but less than 3,000,000;

"$455,376 if such population is 3,000,000 but less than 4,000,000;

"$493,854 if such population is 4,000,000 but less than 5,000,000;

"$525,336 if such population is 5,000,000 but less than 7,000,000;

"$558,408 if such population is 7,000,000 but less than 9,000,000;

"$594,342 if such population is 9,000,000 but less than 10,000,000;

"$622,008 if such population is 10,000,000 but less than 11,000,000;

"$658,260 if such population is 11,000,000 but less than 12,000,000;

"$685,926 if such population is 12,000,000 but less than 13,000,000;

"$721,224 if such population is 13,000,000 but less than 15,000,000;

"$756,522 if such population is 15,000,000 but less than 17,000,000;

"$791,820 if such population is 17,000,000 but less than 19,000,000;

"$818,214 if such population is 19,000,000 but less than 21,000,000;

"$844,608 if such population is 21,000,000 or more.".

(c)(1) The second sentence of section 105(d)(2) of such Act [section 61-1(d)(2) of this title] is modified to read as follows: "The salary of an employee in a Senator's office shall not be fixed under this paragraph at a rate less than $1,113 per annum or in excess of $25,440 per annum except that (i) the salaries of five employees may be fixed at rates of not more than $43,407 per annum, and (ii) the salary of one employee may be fixed at a rate of not more than $45,315 per annum.".

(2) Notwithstanding the modification made by paragraph (1) of this subsection, any individual occupying a position to which a rate referred to in clause (i) or (ii) of such modification applies shall not be paid at any time at an annual rate exceeding $36,729 or $39,909, respectively, as long as the annual rate of basic pay for positions at level III of the Executive Schedule under section 5314 of title 5, United States Code, is $42,000.

(3) Notwithstanding the modification made by paragraph (1) of this subsection, if the annual rate for such level III is increased to more than $42,000, but less than $48,000, an individual occupying a position to which a rate referred to in such clause (i) or (ii) applies shall not be paid at any time, by reason of the promulgation of this Order, at an annual rate in excess of (A) in the case of an individual to whom the rate under such clause (i) applies, $41,181, and (B) in the case of an individual to whom the rate under clause (ii) applies, $44,361, except that the annual rate of compensation shall not exceed, at any time, the next lowest multiple of $159 which is at least $2,500 less than the annual rate of compensation, which is now or may hereafter be in effect, for those positions referred to in section 2(a) of this Order.

GENERAL LIMITATION

SEC. 7. (a) The figure "$1,057" appearing in section 105(f) of the Legislative Branch Appropriation Act, 1968, as amended [section 61-1(f) of this title] (as provided in section 7(a) of the Order of the President pro tempore of October 7, 1974) shall be deemed to refer to the figure "$1,113".

(b)(1) The maximum annual rate of compensation of "$46,206" appearing in such section [section 61-1(f) of this title] (as provided in section 7(b)(1) of the Order of October 7, 1974) is further increased by 5 percent, and as so increased, adjusted to the next higher multiple of $159, and shall be deemed to refer to the figure "$48,654".

(2) Notwithstanding the provisions of paragraph (1) of this subsection, any individual occupying a position to which such rate applies shall not be paid at any time at an annual rate exceeding $39,909 as long as the annual rate of basic pay for positions at level III of the Executive Schedule under section 5314 of title 5, United States Code, is $42,000.

(3) Notwithstanding the provisions of paragraph (1) of this subsection, when the annual rate for such level III is increased to more than $42,000, but less than $48,000, any individual occupying a position to which such rate applies shall not be paid at any time at an annual rate in excess of $45,156, except that the annual rate of compensation shall not exceed, at any time, the next lowest multiple of $159 which is at least $1,700 less than the annual rate of compensation, which is now or may hereafter be in effect, for those positions referred to in section 2(a) of this Order.

NOTIFYING DISBURSING OFFICE OF INCREASE

SEC. 8. In order for an employee to be paid an increase in the annual rate of his compensation as the result of an increase in the maximum annual rate of compensation for his position authorized under this Order, the individual designated by section 4, 5, or 6 to authorize an increased rate of compensation for that employee shall notify the disbursing office of the Senate in writing that he authorizes an increase in such rate for that employee and the date on which that increase is to be effective.

EFFECTIVE DATE

SEC. 9. Sections 1-8 of this Order are effective October 1, 1975.

JAMES O. EASTLAND,
President pro tempore.

DIRECTIVE OF THE PRESIDENT PRO TEMPORE OF THE SENATE OF THE UNITED STATES ESTABLISHING A SALARY INCREASE FOR OFFICERS AND EMPLOYEES OF THE SENATE OF THE UNITED STATES UNDER AUTHORITY OF THE FEDERAL PAY COMPARABILITY ACT OF 1970

OCTOBER 7, 1974

By virtue of the authority vested in me by section 4 of the Federal Pay Comparability Act of 1970 [section 60a-1 of this title], it is hereby—

Ordered,

CONVERSION TO NEW MULTIPLE

SECTION 1. (a) Except as otherwise specified in this Order or unless an annual rate of compensation of an employee whose compensation is disbursed by the Secretary of the Senate is adjusted in accordance with the provisions of this Order, the annual rate of compensation of each employee whose compensation is disbursed by the Secretary of the Senate is adjusted to that multiple of $151 which is nearest to but not less than the rate such employee was receiving immediately prior to October 1, 1974.

(b) For purposes of this Order—

(1) "employee" includes an officer other than a Senator; and

(2) "annual rate of compensation" shall not include longevity compensation authorized by section 106 of the Legislative Branch Appropriation Act, 1963, as amended [section 60j of this title].

RATE INCREASES FOR SPECIFIED POSITIONS

SEC. 2. (a) The annual rates of compensation of the Secretary of the Senate, the Sergeant at Arms, and the Legislative Counsel (as such rates were increased by prior orders of the President pro tempore) are further increased by 5.52 percent, and as so increased, adjusted to the next higher multiple of $151. Notwithstanding the provisions of this subsection, an individual occupying a position whose annual rate of compensation is determined under this subsection shall not be paid at any time, by reason of the promulgation of this Order, at an annual rate in excess of either of the following: (1) the annual rate in effect for positions in level V of the Executive Schedule under section 5316 of title 5, United States Code, or (2) an annual rate of compensation which is $1,000 less than the annual rate of compensation, which is now or may hereafter be in effect, for Members of Congress.

(b) The annual rates of compensation of the Secretary for the Majority (other than the present incumbent), the Secretary for the Minority, and the four Senior Counsel in the Office of the Legislative Counsel (as such rates were increased by prior orders of the President pro tempore) are further increased by 5.52 percent, and as so increased, adjusted to the next higher multiple of $151. Notwithstanding the provisions of this subsection, an individual occupying a position whose annual rate of compensation is determined under this subsection shall not be paid at any time, by reason of the promulgation of this Order, at an annual rate of compensation in excess of either of the following: (1) the annual rate of basic pay, which is now or may hereafter be in effect, for positions in such level V, except that until the annual rate for such level V is increased to $42,000 or more, any such individual shall not be paid at an annual rate exceeding $41,072, or (2) an annual rate of compensation which is that multiple of $151 which is nearest to, but less than $1,057 less than the annual rate of compensation which is now or may hereafter be in effect, for Members of Congress.

(c) The maximum annual rates of compensation of the Secretary for the Majority (as long as that position is occupied by the present incumbent), the Assistant Secretary of the Senate, the Parliamentarian, the Financial Clerk, and the Chief Reporter of Debates (as such rates were increased by prior orders of the President pro tempore) are further increased by 5.52 percent, and as so increased, adjusted to the next higher multiple of $151. Notwithstanding the provision of this subsection, an individual occupying a position whose compensation is determined under this subsection shall not be paid at any time, by reason of the promulgation of this Order, at an annual rate of compensation in excess of either of the following: (1) the annual rate of basic pay, which is now or may hereafter be in effect, for positions in such level V, except that until the annual rate for such level V is increased to $42,000 or more, the annual rate of compensation of any such individual shall not be fixed at an annual rate exceeding $41,072, or (2) an annual rate of compensation which is that multiple of $151 which is nearest to, but less than $1,057 less than the annual rate of compensation, which is now or may hereafter be in effect, for Members of Congress.

(d)(1) The maximum annual rates of compensation of the Administrative Assistant in the Office of the Majority Leader, the Administrative Assistant in the Office of the Majority Whip, the Administrative Assistant in the Office of the Minority Leader, the Administrative Assistant in the Office of the Minority Whip, the seven Reporters of Debates in the Office of the Secretary, the Assistant Secretary for the Majority, the Assistant Secretary for the Minority, the Assistant to the Majority and the Assistant to the Minority in the Office of the Secretary, the Legislative Assistant in the Office of the Majority Leader, the Legislative Assistant in the Office of the Minority Leader, the Assistant Parliamentarian, the Legislative Clerk, the Journal Clerk, the Assistant Legislative Clerk, the Administrative Assistant to the Sergeant at Arms, the Deputy Sergeant at Arms, the Director of the Senate Recording Studio, the Curator of Art and Antiquities of the Senate, and the Postmaster of the Senate (as such rates were increased by prior orders of the President pro tempore) are further increased by 5.52 percent, and as so increased, adjusted to the next higher multiple of $151.

(2) Notwithstanding the provisions of paragraph (1) of this subsection, as long as the annual rate of basic pay for positions in such level V is less than $39,000, an individual occupying a position whose annual rate of compensation is determined under this subsection shall not be paid at any time, by reason of the promulgation of this Order, at an annual rate in excess of $35,938, except that (A) any individual occupying the position of Administrative Assistant in the Office of the Majority Whip or Minority Whip shall not be paid, by reason of the promulgation of this Order, at an annual rate in excess of $35,636, (B) any individual occupying the position of Assistant to the Majority or Assistant to the Minority in the Office of the Secretary, Legislative Assistant in the Office of the Majority Leader, or Legislative Assistant in the Office of the Minority Leader, shall not be paid, by reason of the promulgation of this Order, at an annual rate in excess of $35,334, (C) any individual occupying the position of Assistant Parliamentarian, Legislative Clerk, or Journal Clerk shall not be paid, by reason of the promulgation of this Order, at an annual rate in excess of $34,579, (D) any individual occupying the position of Assistant Legislative Clerk, Administrative Assistant to the Sergeant at Arms, or the Deputy Sergeant at Arms shall not be paid, by reason of the promulgation of this Order, at an annual rate in excess of $33,522, (E) any individual occupying the position of Director of the Senate Recording Studio shall not be paid, by reason of the promulgation of this Order, at an annual rate in excess of $32,918, (F) an individual occupying the position of Curator of Art and Antiquities of the Senate shall not be paid, by reason of the promulgation of this Order, at an annual rate in excess of $32,314, and (G) any individual occupying the position of Postmaster of the Senate shall not be paid, by reason of the promulgation of this Order, at an annual rate in excess of $31,710.

(3) Notwithstanding the provisions of paragraph (1) of this subsection, if the annual rate for such level V is increased to $39,000 or more but less than $42,000, an individual occupying the position of (A) Administrative Assistant in the Office of the Majority Leader, Administrative Assistant in the Office of the Minority Leader, a Reporter of Debates, Assistant Secretary for the Majority, or Assistant Secretary for the Minority shall not be paid at any time, by reason of the promulgation of this Order, at an annual rate in excess of $38,958, (B) Administrative Assistant in the Office of the Majority Whip or the Administrative Assistant in the Office of the Minority Whip shall not be paid at any time, by reason of the promulgation of this Order, at an annual rate of compensation in excess of $37,750, (C) Assistant to the Majority or Assistant to the Minority in the Office of the Secretary, Legislative Assis-

tant in the Office of the Majority Leader, or Legislative Assistant in the Office of the Minority Leader shall not be paid at any time, by reason of the promulgation of this Order, at an annual rate in excess of $37,146, and (D) Assistant Parliamentarian, Legislative Clerk, or Journal Clerk shall not be paid at any time, by reason of the promulgation of this Order, at an annual rate in excess of $36,391.

(4) Notwithstanding the provisions of paragraph (1) of this subsection, any individual occupying the position of Administrative Assistant in the Office of the Majority Leader, the Assistant Secretary for the Majority, the Administrative Assistant in the Office of the Minority Leader, the Assistant Secretary for the Minority, and the seven Reporters of Debates in the Office of the Secretary shall not be paid at any time, by reason of the promulgation of this Order, at an annual rate in excess of either of the following: (A) an annual rate of compensation which is that multiple of $151 which is nearest to, but less than, the annual rate in effect for positions in such level V, or (B) an annual rate of compensation which is that multiple of $151 which is nearest to, but less than, $1,812 less than the annual rate of compensation, which is now or may hereafter be in effect, for Members of Congress.

(5) Notwithstanding the provisions of paragraph (1) of this subsection, any individual occupying the position of Administrative Assistant in the Office of Majority Whip or the Administrative Assistant in the Office of the Minority Whip shall not be paid at any time, by reason of the promulgation of this Order, at an annual rate in excess of either of the following: (A) an annual rate of compensation which is that multiple of $151 which is nearest to, but less than, the annual rate in effect for positions in such level V, or (B) an annual rate of compensation which is that multiple of $151 which is nearest to, but less than, $2,567 less than the annual rate of compensation, which is now or may hereafter be in effect, for Members of Congress.

(6) Notwithstanding the provisions of paragraph (1) of this subsection, any individual occupying the position of the Assistant to the Majority or the Assistant to the Minority in the Office of the Secretary, the Legislative Assistant in the Office of the Majority Leader, or the Legislative Assistant in the Office of the Minority Leader, shall not be paid at any time, by reason of the promulgation of this Order, at an annual rate in excess of either of the following: (A) an annual rate of compensation which is that multiple of $151 which is nearest to, but less than, the annual rate in effect for positions in such level V, or (B) an annual rate of compensation which is that multiple of $151 which is nearest to, but less than, $3,473 less than the annual rate of compensation which is now or may hereafter be in effect, for Members of Congress.

(e) The annual rate of compensation of each employee of the former Vice President whose pay is disbursed by the Secretary of the Senate under Senate Resolution 379, 93d Congress, agreed to August 9, 1974, is increased by 5.52 percent, and as so increased, adjusted to the next higher multiple of $151. Notwithstanding the provisions of this subsection, no such employee shall be paid at any time, by reason of the promulgation of this Order, at an annual rate of compensation in excess of the annual rate of basic pay, which is now or hereafter may be in effect, for positions in such level V.

CHAPLAIN'S OFFICE

SEC. 3. The annual rate of compensation of the Chaplain and the maximum annual rate of compensation for the position of secretary to the Chaplain (as in effect immediately prior to October 1, 1974) are increased by 5.52 percent, and as so increased, adjusted to the next higher multiple of $151.

OFFICES OF THE SENATE

SEC. 4. (a) Any specific rate of compensation established by law, as such rate has been increased by or pursuant to law, for any position under the jurisdiction of the Sergeant at Arms shall be considered as the maximum annual rate of compensation for that position. Each such maximum annual rate is increased by 5.52 percent, and as so increased, adjusted to the next higher multiple of $151.

(b) The maximum annual rates of compensation for positions or classes of positions (other than those positions referred to in section 2(c) and (d) of this Order) under the jurisdiction of the Majority and Minority Leaders, the Majority and Minority Whips, the Secretary of the Senate, the Secretary for the Majority, and the Secretary for the Minority are increased by 5.52 percent, and as so increased adjusted to the next higher multiple of $151.

(c) The following individuals are authorized to increase the annual rates of compensation of the employees specified by 5.52 percent, and as so increased, adjusted to the next higher multiple of $151:

(1) the Vice President, for any employee under his jurisdiction;

(2) the Majority Leader, the Minority Leader, the Majority Whip, and the Minority Whip, for any employee under the jurisdiction of that Leader or Whip (subject to the provisions of section 2(d) of this Order);

(3) the Majority Leader, for the Secretary for the Majority so long as the position is occupied by the present incumbent (subject to the provisions of section 2(c) of this Order);

(4) the Secretary of the Senate, for any employee under his jurisdiction (subject to the provisions of section 2(c) and (d) of this Order);

(5) the Sergeant at Arms, for any employee under his jurisdiction (subject to the provisions of section 2(d) of this Order);

(6) the Chaplain, for his secretary;

(7) the Legislative Counsel, subject to the approval of the President pro tempore, for any employee in that Office (other than the four Senior Counsel);

(8) the Secretary for the Majority and the Secretary for the Minority, for any employee under the jurisdiction of that Secretary (subject to the provisions of section 2(d) of this Order); and

(9) the Capitol Guide Board, for the Chief Guide, the Assistant Chief Guide, and the Guides of the Capitol Guide Service.

(d) The figure "$855", appearing in the first sentence of section 106(b) of the Legislative Branch Appropriation Act, 1963, as amended [section 60j(b) of this title] (as provided in section 4(d) of the Order of the President pro tempore of October 4, 1973), shall be deemed to refer to the figure "$906".

(e) The limitation on the rate per hour per person provided by applicable law immediately prior to October 1, 1974, with respect to the folding of speeches and pamphlets for the Senate, is increased by 5.52 percent. The amount of such increase shall be computed to the nearest cent, counting one-half cent and over as a whole cent.

COMMITTEE STAFFS

SEC. 5. (a) Subject to the provision of section 105 of the Legislative Branch Appropriation Act, 1968, as amended [enacting section 61–1 of this title and amending section 60j of this title and section 5533 of Title 5, Government Organization and Employees] (as modified by this Order), and the other provisions of this Order, the chairman of any standing, special, or select committee of the Senate (including the majority and minority policy committees and the conference majority and conference minority of the Senate), and the chairman of any joint committee of the Congress whose funds are disbursed by the Secretary of the Senate are each authorized to increase the annual rate of compensation of any employee of the committee, or subcommittee thereof, of which he is chairman, by 5.52 percent, and as so increased, adjusted to the next higher multiple of $151.

(b)(1) The figures "$16,815" and "$24,795" appearing in section 105(e) of the Legislative Branch Appropriation Act, 1968 [section 61–1(e) of this title] (as provided in section 5(b)(1) of the Order of the President

pro tempore of October 4, 1973, and as amended by the Supplemental Appropriations Act, 1974), shall be deemed to refer to the figures "$17,818" and "$26,274", respectively.

(2) The maximum annual rates of "$40,185", "$41,895", and "$43,890" appearing in such section 105(e) [section 61-1(e) of this title] (as provided in section 5(b)(2) of such Order of October 4, 1973) are each further increased by 5.52 percent, and as so increased, adjusted to the next higher multiple of $151, and shall be deemed to refer to the figures "$42,431", "$44,243", and "$46,206", respectively.

(3) Notwithstanding the provisions of paragraph (2) of this subsection, any individual occupying a position to which any such rate applies shall not be paid at any time at an annual rate in excess of $33,975, $35,636, or $35,938, respectively, as long as the annual rate of basic pay for positions in level V of the Executive Schedule under section 5316 of title 5, United States Code, is less than $39,000.

(4) Notwithstanding the provisions of paragraph (2) of this subsection, if the annual rate for such level V is increased to $39,000 or more but less than $42,000, an individual occupying a position (A) to which the rate "$42,431" applies shall not be paid at any time at an annual rate in excess of $36,844, (B) to which the rate "$44,243" applies shall not have his compensation fixed at an annual rate in excess of $38,656, and (C) to which the rate "$46,206" applies shall not be paid at any time at an annual rate in excess of the lesser of $41,072 or that multiple of $151 which is nearest to but less than the annual rate of basic pay for positions in such level V.

(5) Notwithstanding the provisions of paragraph (2) of this subsection, if the annual rate of basic pay for positions in such level V is increased to $42,000 or more, an individual occupying any position whose annual rate of compensation is determined under this subsection shall not be paid at any time, by reason of the promulgation of this Order, at an annual rate in excess of either of the following: (A) an annual rate of compensation which is a multiple of $151 which is nearest to, but less than, the annual rate of basic pay, which is now or may hereafter be in effect, for positions in such level V, or (B)(i) in the case of an individual occupying a position to which the rate "$42,431" applies, an annual rate of compensation which is that multiple of $151 which is nearest to, but less than, $2,265 less than the annual rate of compensation, which is now or may hereafter be in effect, for Members of Congress, (ii) in the case of an individual to which the rate "$44,243" applies, an annual rate of compensation which is that multiple of $151 which is nearest to, but less than, $1,661 less than such annual rate for Members of Congress, or (iii) in the case of an individual to which the rate "$46,206" applies, an annual rate of compensation which is that multiple of $151 which is nearest to, but less than, $1,057 less than such annual rate for Members of Congress.

SENATORS' OFFICES

SEC. 6. (a) Subject to the provisions of section 105 of the Legislative Branch Appropriation Act, 1968, as amended [enacting section 61-1 of this title and amending section 60j of this title and section 5533 of Title 5, Government Organization and Employees] (as modified by this Order), and the other provisions of this Order, each Senator is authorized to increase the annual rate of compensation of any employee in his office by 5.52 percent, and as so increased, adjusted to the next higher multiple of $151.

(b) The table contained in section 105(d)(1) of such Act [section 61-1(d)(1) of this title] shall be deemed to read as follows:

"$392,298 if the population of his State is less than 2,000,000;

"$404,076 if such population is 2,000,000 but less than 3,000,000;

"$432,464 if such population is 3,000,000 but less than 4,000,000;

"$469,006 if such population is 4,000,000 but less than 5,000,000;

"$498,904 if such population is 5,000,000 but less than 7,000,000;

"$530,312 if such population is 7,000,000 but less than 9,000,000;

"$564,438 if such population is 9,000,000 but less than 10,000,000;

"$590,712 if such population is 10,000,000 but less than 11,000,000;

"$625,140 if such population is 11,000,000 but less than 12,000,000;

"$651,414 if such population is 12,000,000 but less than 13,000,000;

"$684,936 if such population is 13,000,000 but less than 15,000,000;

"$718,458 if such population is 15,000,000 but less than 17,000,000;

"$751,980 if such population is 17,000,000 or more."

(c)(1) The second sentence of section 105(d)(2) of such Act [section 61-1(d)(2) of this title] is modified to read as follows: "The salary of an employee in a Senator's office shall not be fixed under this paragraph at a rate less than $1,057 per annum or in excess of $24,160 per annum except that (i) the salaries of five employees may be fixed at rates of not more than $41,223 per annum, and (ii) the salary of one employee may be fixed at a rate of not more than $43,035 per annum."

(2) Notwithstanding the modification made by paragraph (1) of this subsection, any individual occupying a position to which a rate referred to in clause (i) or (ii) of such modification applies shall not be paid at any time at an annual rate exceeding $34,881 or $35,938, respectively, as long as the annual rate of basic pay for positions at level V of the Executive Schedule under section 5316 of title 5, United States Code, is less than $39,000.

(3) Notwithstanding the modification made by paragraph (1) of this subsection, if the annual rate for such level V is increased to $39,000 or more but less than $42,000, an individual occupying a position to which a rate referred to in such clause (i) or (ii) applies shall not be paid at any time, by reason of the promulgation of this Order, at an annual rate in excess of (A) in the case of an individual to whom the rate under such clause (i) applies, $38,052, and (B) in the case of an individual to whom the rate under clause (ii) applies, the lesser of a rate that is a multiple of $151 which is nearest to, but less than, the annual rate for such level V or $39,864.

(4) Notwithstanding the modification made by paragraph (1) of this subsection, if the annual rate for such level V is increased to $42,000 or more, an individual occupying a position (A) to which the rate "$41,223" applies, shall not be paid at any time, by reason of the promulgation of this Order, at an annual rate of compensation which is that multiple of $151 which is nearest to, but less than, $2,265 less than the annual rate of compensation, which is now or may hereafter be in effect, for Members of Congress, or (B) to which the rate "$43,035" applies, shall not be paid at any time, by reason of the promulgation of this Order, at an annual rate of compensation in excess of either of the following: (i) an annual rate of compensation which is a multiple of $151 which is nearest to, but less than, the annual rate for such level V, or (ii) an annual rate of compensation which is that multiple of $151 which is nearest to, but less than, $1,661 less than such annual rate for Members of Congress.

GENERAL LIMITATION

SEC. 7. (a) The figure "$1,140" appearing in section 105(f) of the Legislative Branch Appropriation Act, 1968, as amended [section 61-1(f) of this title] (as provided in section 7(a) of the Order of the President pro tempore of October 4, 1973) shall be deemed to refer to the figure "$1,057".

(b)(1) The maximum annual rate of compensation of "$43,890" appearing in such section (as provided in section 7(b) of such Order of October 4, 1973) is fur-

ther increased by 5.52 percent, and as so increased, adjusted to the next higher multiple of $151, and shall be deemed to refer to the figure "$46,206".

(2) Notwithstanding the provisions of paragraph (1) of this subsection, any individual occupying a position to which such rate applies (A) shall not be paid at any time at an annual rate exceeding $35,938 as long as the annual rate of basic pay for positions at level V of the Executive Schedule under section 5316 of title 5, United States Code, is less than $39,000, (B) if the annual rate for such level V is increased to $39,000 or more but less than $42,000, shall not be paid at any time at an annual rate exceeding the lesser of (i) a rate that is a multiple of $151 which is nearest to, but less than, the annual rate for such level V, or (ii) $41,072, and (C) if the annual rate for such level V is increased to $42,000 or more, shall not be paid at an annual rate in excess of either of the following: (i) an annual rate which is a multiple of $151 which is nearest to, but less than, the annual rate for such level V, or (ii) an annual rate which is nearest to, but less than, $1,057 less than the annual rate of compensation, which is now or may hereafter be in effect, for Members of Congress.

NOTIFYING DISBURSING OFFICER OF INCREASES

SEC. 8. In order for an employee to be paid an increase in the annual rate of his compensation as the result of an increase in the maximum annual rate of compensation for his position authorized under this Order, the individual designated by section 4, 5, or 6 to authorize an increased rate of compensation for that employee shall notify the disbursing office of the Senate in writing that he authorizes an increase in such rate for that employee and the date on which that increase is to be effective.

LEGISLATIVE BRANCH APPROPRIATION ACT, 1975, RATE INCREASES

SEC. 9. (a) Except as provided in this section, no provision of this Order supersedes paragraph 4 of "Administrative Provisions" under the heading "SENATE" in the Legislative Branch Appropriation Act, 1975 [amending sections 61a, 61a–3, 61b, 61e, 61g, 61j, and 273 of this title, and enacting sections 61h, 61h–1, 63a, 64a–1 and provisions set out as notes under sections 61–1, 61a, and 274 of this title].

(b) An individual occupying a position for which that paragraph 4 prescribes a specific annual rate of compensation shall be paid that annual rate until such time as the annual rate of basic pay for positions in level V of the Executive Schedule under section 5316 of title 5, United States Code, is increased to an annual rate which will result in authorizing an annual rate of compensation to be paid such an individual under this Order which is higher than the annual rate authorized under that paragraph 4. After such time, any such individual shall be paid in accordance with this Order.

(c)(1) An individual occupying a position for which that paragraph 4 prescribes a maximum annual rate in excess of the annual rate for positions in such level V in effect immediately prior to October 1, 1974, may be paid at the maximum rate authorized by that paragraph 4 or any annual rate which is a multiple of $151, except that if the maximum annual rate to be paid is in excess of $36,693, the annual rate paid shall be a multiple of $285. After such time as the annual rate of basic pay for positions in such level V is increased to an annual rate which will result in authorizing an annual rate of compensation to be paid such an individual under this Order which is higher than the annual rate authorized for that individual under that paragraph 4, such individual shall be paid in accordance with this Order.

(2) An individual occupying a position for which that paragraph 4 prescribes a maximum annual rate of compensation less than the annual rate for positions in such level V in effect immediately prior to October 1, 1974, shall be paid in accordance with sections 1 to 8 of this Order.

EFFECTIVE DATE

SEC. 10. Sections 1 to 9 of this Order are effective October 1, 1974.

JAMES O. EASTLAND,
President pro tempore.

DIRECTIVE OF THE PRESIDENT PRO TEMPORE OF THE SENATE OF THE UNITED STATES ESTABLISHING A SALARY INCREASE FOR OFFICERS AND EMPLOYEES OF THE SENATE OF THE UNITED STATES UNDER AUTHORITY OF THE FEDERAL PAY COMPARABILITY ACT OF 1970

OCTOBER 4, 1973

By virtue of the authority vested in me by section 4 of the Federal Pay Comparability Act of 1970 [section 60a–1 of this title], it is hereby—

Ordered,

CONVERSION TO NEW MULTIPLE

SECTION 1. (a) Except as otherwise specified in this Order or unless as annual rate of compensation of an employee whose compensation is disbursed by the Secretary of the Senate is adjusted in accordance with the provisions of this Order, the annual rate of compensation of each employee whose compensation is disbursed by the Secretary of the Senate is adjusted to the lowest multiple of $285 which is not lower than the rate such employee was receiving immediately prior to October 1, 1973.

(b) For purposes of this Order—

(1) "employee" includes an officer other than a Senator; and

(2) "annual rate of compensation" shall not include longevity compensation authorized by section 106 of the Legislative Branch Appropriation Act, 1963, as amended [section 60j of this title].

RATE INCREASES FOR SPECIFIED POSITIONS

SEC. 2(a) The annual rates of compensation of the Secretary of the Senate, the Sergeant at Arms, and the Legislative Counsel (as such rates were increased by prior orders of the President pro tempore) are further increased by 4.77 percent, and as so increased, adjusted to the nearest multiple of $285. Notwithstanding the provisions of this subsection, an individual occupying a position whose annual rate of compensation is determined under this subsection shall not be paid at any time, by reason of the promulgation of this Order, at an annual rate of compensation in excess of either of the following: (1) the annual rate of basic pay, which is now or may hereafter be in effect, for positions in level V of the Executive Schedule under section 5316 of title 5, United States Code, or (2) an annual rate of pay which is $1,000 less than the annual rate of pay, which is now or may hereafter be in effect, for Members of Congress.

(b) The annual rates of compensation of the Secretary for the Majority (other than the present incumbent), the Secretary for the Minority, and the four Senior Counsel in the Office of the Legislative Counsel (as such rates were increased by prior orders of the President pro tempore) are further increased by 4.77 percent, and as so increased, adjusted to the nearest multiple of $285. Notwithstanding the provisions of this subsection, an individual occupying a position whose annual rate of compensation is determined under this subsection shall not be paid at any time, by reason of the promulgation of this Order, at any annual rate of compensation in excess of either of the following: (1) the annual rate of basic pay, which is now or may hereafter be in effect, for positions in such level V, except that until the annual rate for such level V is increased to $42,000 or more, any such individual shall not be paid at an annual rate exceeding $40,755, or (2) an annual rate of pay which is that multiple of $285 which is nearest to, but not less than, $1,140 less than the annual rate of pay, which is now or may hereafter be in effect, for Members of Congress.

(c) The maximum annual rates of compensation of the Secretary for the Majority (as long as that position is occupied by the present incumbent), the Assistant Secretary of the Senate, the Parliamentarian, the Financial Clerk, and the Chief Reporter of Debates (as such rates were increased by prior orders of the President pro tempore) are further increased by 4.77 percent, and as so increased, adjusted to the nearest multiple of $285. Notwithstanding the provisions of this subsection, an individual occupying a position whose compensation is determined under this subsection shall not have his compensation fixed at any time, by reason of the promulgation of this Order, at an annual rate of compensation in excess of either of the following: (1) the annual rate of basic pay, which is now or may hereafter be in effect, for positions in such level V, except that until the annual rate for such level V is increased to $42,000 or more, the annual rate of compensation of any such individual shall not be fixed at an annual rate exceeding $40,755, or (2) an annual rate of pay which is that multiple of $285 which is nearest to, but less than $1,140 less than the annual rate of pay, which is now or may hereafter be in effect, for Members of Congress.

(d)(1) The maximum annual rates of compensation of the Administrative Assistant in the Office of the Majority Leader, the Administrative Assistant in the Office of the Majority Whip, the Administrative Assistant in the Office of the Minority Leader, the Administrative Assistant in the Office of the Minority Whip, the seven Reporters of Debates in the Office of the Secretary, the Assistant Secretary for the Majority, the Assistant Secretary for the Minority, the Assistant to the Majority and the Assistant to the Minority in the Office of the Secretary, the Legislative Assistant in the Office of the Majority Leader, the Legislative Assistant in the Office of the Minority Leader, the Assistant Parliamentarian, the Legislative Clerk, the Journal Clerk, the Assistant Legislative Clerk, the Administrative Assistant to the Sergeant at Arms, and the Deputy Sergeant at Arms (as such rates were increased by prior orders of the President pro tempore) are further increased by 4.77 percent and as so increased adjusted to the nearest multiple of $285.

(2) Notwithstanding the provisions of paragraph (1) of this subsection, as long as the annual rate of basic pay for positions in such level V is less than $39,000, an individual occupying a position whose annual rate of compensation is determined under this subsection shall not have his compensation fixed at any time, by reason of the promulgation of this Order, at an annual rate in excess of $35,910, except that (A) any individual occupying the position of Administrative Assistant in the Office of the Majority Whip or Minority Whip shall not have his compensation fixed, by reason of the promulgation of this Order, at an annual rate in excess of $34,770, (B) any individual occupying the position of Assistant to the Majority or Assistant to the Minority in the Office of the Secretary, Legislative Assistant in the Office of the Majority Leader, or Legislative Assistant in the Office of the Minority Leader, shall not have his compensation fixed, by reason of the promulgation of this Order, at an annual rate in excess of $34,485, (C) any individual occupying the position of Assistant Parliamentarian, Legislative Clerk, or Journal Clerk shall not have his compensation fixed, by reason of the promulgation of this Order, at an annual rate in excess of $33,915, and (D) any individual occupying the position of Assistant Legislative Clerk, Administrative Assistant to the Sergeant at Arms, or the Deputy Sergeant at Arms shall not have his compensation fixed, by reason of the promulgation of this Order, at an annual rate in excess of $32,775.

(3) Notwithstanding the provisions of paragraph (1) of this subsection, if the annual rate for such level V is increased to $39,000 or more but less than $42,000, an individual occupying the position of (A) Administrative Assistant in the Office of the Majority Leader, Administrative Assistant in the Office of the Minority Leader, a Reporter of Debates, Assistant Secretary for the Majority, or Assistant Secretary for the Minority shall not have his compensation fixed, by reason of the promulgation of this Order, at an annual rate in excess of $38,760, (B) Administrative Assistant in the Office of the Majority Whip or the Administrative Assistant in the Office of the Minority Whip shall not have his compensation fixed, by reason of the promulgation of this Order, at an annual rate of compensation in excess of $37,620, and (C) Assistant to the Majority in the Office of the Secretary, Assistant to the Minority in the Office of the Secretary, Legislative Assistant in the Office of the Majority Leader, or Legislative Assistant in the Office of the Minority Leader, shall not have his compensation fixed, by reason of the promulgation of this Order, at an annual rate in excess of $36,480, until the rate for such level V is increased to $42,000 or more.

CHAPLAIN'S OFFICE

SEC. 3. The annual rate of compensation of the Chaplain and the maximum annual rate of compensation for the position of secretary to the Chaplain (as in effect immediately prior to October 1, 1973) are increased by 4.77 percent, and as so increased, adjusted to the nearest multiple of $285.

OFFICES OF THE SENATE

SEC. 4. (a) Any specific rate of compensation established by law, as such rate has been increased by or pursuant to law, for any position under the jurisdiction of the Sergeant at Arms shall be considered as the maximum annual rate of compensation for that position. Each such maximum annual rate is increased by 4.77 percent, and as so increased, adjusted to the nearest multiple of $285.

(b) The maximum annual rates of compensation for positions or classes of positions (other than those positions referred to in section 2(c) and (d) of this Order) under the jurisdiction of the Majority and Minority Leaders, the Majority and Minority Whips, the Secretary of the Senate, the Secretary for the Majority, and the Secretary for the Minority are increased by 4.77 percent, and as so increased, adjusted to the nearest multiple of $285.

(c) The following individuals are authorized to increase the annual rates of compensation of the employees specified by 4.77 percent, and as so increased, adjusted to the nearest multiple of $285:

(1) the Vice President, for any employee under his jurisdiction;

(2) the Majority Leader, the Minority Leader, the Majority Whip, and the Minority Whip, for any employee under the jurisdiction of that Leader or Whip (subject to the provisions of section 2(d) of this Order);

(3) the Majority Leader, for the Secretary for the Majority so long as the position is occupied by the present incumbent (subject to the provisions of section 2(c) of this Order);

(4) the Secretary of the Senate, for any employee under his jurisdiction (subject to the provisions of section 2(c) and (d) of this Order);

(5) the Sergeant at Arms, for any employee under his jurisdiction (subject to the provisions of section 2(d) of this Order);

(6) the Chaplain, for his secretary;

(7) the Legislative Counsel, subject to the approval of the President pro tempore, for any employee in that Office (other than the four Senior Counsel);

(8) the Secretary for the Majority and the Secretary for the Minority, for any employee under the jurisdiction of that Secretary (subject to the provisions of section 2(d) of this Order); and

(9) the Capitol Guide Board, for the Chief Guide, the Assistant Chief Guide, and the Guides of the Capitol Guide Service.

(d) The figure "$816", appearing in the first sentence of section 106(b) of the Legislative Branch Appropriation Act, 1963, as amended [section 60j(b) of this title] (as provided in section 4(d) of the Order of the President pro tempore of December 16, 1972), shall be deemed to refer to the figure "$855".

(e) The limitation on the rate per hour per person provided by applicable law immediately prior to October 1, 1973, with respect to the folding of speeches and pamphlets for the Senate, is increased by 4.77 percent. The amount of such increase shall be computed to the nearest cent, counting one-half cent and over as a whole cent.

COMMITTEE STAFFS

SEC. 5. (a) Subject to the provision of section 105 of the Legislative Branch Appropriation Act, 1968, as amended [enacting section 61-1 of this title and amending section 60j of this title and section 5533 of Title 5, Government Organization and Employees] (as modified by this Order), and the other provisions of this Order, the chairman of any standing, special, or select committee of the Senate (including the majority and minority policy committees and the conference majority and conference minority of the Senate), and the chairman of any joint committee of the Congress whose funds are disbursed by the Secretary of the Senate are each authorized to increase the annual rate of compensation of any employee of the committee, or subcommittee thereof, of which he is chairman, by 4.77 percent, and as so increased, adjusted to the nearest multiple of $285.

(b)(1) The figures "$8,160", "$16,048", "$14,144", "$18,496", "$23,664", and "$20,400" appearing in section 105(e) of the Legislative Branch Appropriation Act, 1968, as amended [section 61-1(e) of this title] (as provided in section 5(b)(1) of the Order of the President pro tempore of December 16, 1972), shall be deemed to refer to the figures "$8,265", "$16,815", "$14,250", "$18,525", "$24,795", and "$18,240", respectively.

(2) The maximum annual rates of "$38,352", "$39,984", and "$41,616" appearing in such section 105(e) [section 61-1(e) of this title] (as provided in section 5(b)(2) of such Order of December 16, 1972) are each further increased by 4.77 percent, and as so increased, adjusted to the nearest multiple of $285, and shall be deemed to refer to the figures "$40,185", "$41,895", and "$43,890", respectively. Notwithstanding the provisions of this paragraph, any individual occupying a position to which any such rate applies (A) shall not have his compensation fixed at a rate exceeding $33,060, $34,770, or $35,910 per annum, respectively, as long as the annual rate of basic pay for positions at level V of the Executive Schedule under section 5316 of title 5, United States Code, is less than $39,000, and (B) if the annual rate for such level V is increased to $39,000 or more but less than $42,000, shall not have his compensation fixed at an annual rate exceeding the lesser of (i) a rate that is a multiple of $285 which is nearest to, but less than, the annual rate for such level V or (ii) $36,765, $38,475, or $40,185, respectively. If the annual rate for such level V is increased to $42,000 or more, an individual occupying a position for which either of the rates "$41,895" or "$43,890" applies, shall not have his compensation fixed at an annual rate that exceeds a multiple of $285 which is nearest to but less than the annual rate for such level V, and, until such time as pay for Members of Congress is increased to $45,000 or more, shall not have his compensation fixed at an annual rate in excess of $40,755 or $41,325, respectively.

SENATORS' OFFICES

SEC. 6. (a) Subject to the provisions of section 105 of the Legislative Branch Appropriation Act, 1968, as amended [enacting section 61-1 of this title and amending section 60j of this title and section 5533 of Title 5, Government Organization and Employees] (as modified by this Order), and the other provisions of this Order, each Senator is authorized to increase the annual rate of compensation of any employee in his office by 4.77 percent, and as so increased, adjusted to the nearest multiple of $285.

(b) The table contained in section 105(d)(1) of such Act [section 61-1(d)(1) of this title] shall be deemed to read as follows:

"$369,075 if the population of his State is less than 2,000,000;

"$380,190 if such population is 2,000,000 but less than 3,000,000;

"$406,980 if such population is 3,000,000 but less than 4,000,000;

"$441,465 if such population is 4,000,000 but less than 5,000,000;

"$469,680 if such population is 5,000,000 but less than 7,000,000;

"$499,320 if such population is 7,000,000 but less than 9,000,000;

"$531,525 if such population is 9,000,000 but less than 10,000,000.

"$556,320 if such population is 10,000,000 but less than 11,000,000;

"$588,810 if such population is 11,000,000 but less than 12,000,000;

"$613,605 if such population is 12,000,000 but less than 13,000,000;

"$645,240 if such population is 13,000,000 but less than 15,000,000;

"$676,875 if such population is 15,000,000 but less than 17,000,000;

"$708,510 if such population is 17,000,000 or more."

(c)(1) The second sentence of section 105(d)(2) of such Act [section 61-1(d)(2) of this title] is modified to read as follows: "The salary of an employee in a Senator's office shall not be fixed under this paragraph at a rate less than $1,140 per annum or in excess of $22,800 per annum except that (i) the salaries of five employees may be fixed at rates of not more than $39,045 per annum, and (ii) the salary of one employee may be fixed at $40,755 per annum."

(2) Notwithstanding the modification made by paragraph (1) of this subsection, any individual occupying a position to which a rate referred to in clause (i) or (ii) of such modification applies shall not have his compensation fixed at an annual rate exceeding $34,770 or $35,910, respectively, as long as the annual rate of basic pay for positions at level V of the Executive Schedule under section 5316 of title 5, United States Code, is less than $39,000. If the annual rate for such level V is increased to $39,000 or more but less than $42,000, an individual occupying a position to which the rates referred to in such clauses (i) and (ii) apply shall not have compensation fixed, until the annual rate for such level V is increased to $42,000 or more, at an annual rate exceeding (A) in the case of an individual to whom the rate under such clause (i) applies, $37,620, and (B) in the case of an individual to whom the rate under clause (ii) applies, the lesser of a rate that is a multiple of $285 which is nearest to, but less than, the annual rate for such level V or $39,330.

GENERAL LIMITATION

SEC. 7. (a) The figure "$1,088" appearing in section 105(f) of the Legislative Branch Appropriation Act, 1968, as amended [section 61-1(f) of this title] (as provided in section 7(a) of the Order of the President pro tempore of December 16, 1972) shall be deemed to refer to the figure "$1,140".

(b) The maximum annual rate of compensation of $41,616 appearing in such section (as provided in section 7(b) of such Order of December 16, 1972) is further increased by 4.77 percent, and as so increased, adjusted to the nearest multiple of $285, and shall be deemed to refer to the figure "$43,890." Notwithstanding the provisions of this subsection, any individual occupying a position to which such rate applies (1) shall not have his compensation fixed at a rate exceeding $35,910 per annum as long as the annual rate of basic pay for positions at level V of the Executive Schedule under section 5316 of title 5, United States Code, is less than $39,000, and (2) if the annual rate for such level V is increased to $39,000 or more but less than $42,000, shall not have his compensation fixed at an annual rate exceeding the lesser of (A) a rate that is a multiple of $285 which is nearest to, but less than, the annual rate for such level V or (B) $40,185. If the annual rate for such level V is increased to $42,000 or

more, an individual occupying a position to which such rate applies shall not have his compensation fixed at an annual rate that exceeds a multiple of $285 which is nearest to, but less than, the annual rate for such level V, and until such time as pay for Members of Congress are increased to $45,000 or more, shall not have his compensation fixed at an annual rate in excess of $41,325.

NOTIFYING DISBURSEMENT OFFICE OF INCREASES

SEC. 8. In order for an employee to be paid an increase in the annual rate of his compensation as the result of an increase in the maximum annual rate of compensation for his position authorized under this Order, the individual designated by section 4, 5, or 6 to authorize an increase rate of compensation for that employee shall notify the disbursing office of the Senate in writing that he authorizes an increase in such rate for that employee and the date on which that increase is to be effective.

EFFECTIVE DATE

SEC. 9. Sections 1 to 8 of this Order are effective October 1, 1973.

JAMES O. EASTLAND,
President pro tempore.

DIRECTIVE OF THE PRESIDENT PRO TEMPORE OF THE SENATE OF THE UNITED STATES ESTABLISHING A SALARY INCREASE FOR OFFICERS AND EMPLOYEES OF THE SENATE OF THE UNITED STATES UNDER AUTHORITY OF THE FEDERAL PAY COMPARABILITY ACT OF 1970

DECEMBER 16, 1972

By virtue of the authority vested in me by section 4 of the Federal Pay Comparability Act of 1970 [section 60a-1 of this title], it is hereby—

Ordered,

CONVERSION TO NEW MULTIPLE

SECTION 1. (a) Except as otherwise specified in this Order or unless an annual rate of compensation of an employee whose compensation is disbursed by the Secretary of the Senate is adjusted in accordance with the provisions of this Order, the annual rate of compensation of each employee whose compensation is disbursed by the Secretary of the Senate is adjusted to the lowest multiple of $272 which is not lower than the rate such employee was receiving immediately prior to January 1, 1973.

(b) For purposes of this Order—

(1) "employee" includes an officer other than a Senator; and

(2) "annual rate of compensation" shall not include longevity compensation authorized by section 106 of the Legislative Branch Appropriation Act, 1963, as amended [section 60j of this title].

RATE INCREASES FOR SPECIFIED POSITIONS

SEC. 2. (a) The annual rates of compensation of the Secretary of the Senate, the Sergeant at Arms, the Legislative Counsel, the Comptroller of the Senate, the Secretary for the Majority (other than the present incumbent), the Secretary for the Minority, and the four Senior Counsel in the Office of the Legislative Counsel (as such rates were increased by prior orders of the President pro tempore) are further increased by 5.14 percent, and as so increased, adjusted to the nearest multiple of $272. Notwithstanding the provisions of this subsection, an individual occupying a position whose annual rate of compensation is determined under this subsection shall not be paid, by reason of the promulgation of this Order, an annual rate of compensation in excess of the annual rate of basic pay, which is now or may hereafter be in effect, for positions in level V of the Executive Schedule under section 5316 of title 5, United States Code.

(b) The maximum annual rates of compensation of the Secretary for the Majority (as long as that position is occupied by the present incumbent), the Assistant Secretary of the Senate, the Parliamentarian, the Financial Clerk, and the Chief Reporter of Debates (as such rates were increased by prior orders of the President pro tempore) are further increased by 5.14 percent, and as so increased, adjusted to the nearest multiple of $272. Notwithstanding the provisions of this subsection, an individual occupying a position whose annual rate of compensation is determined under this subsection shall not have his compensation fixed, by reason of the promulgation of this Order, at an annual rate in excess of the annual rate of basic pay, which is now or may hereafter be in effect, for positions at such level V.

(c) The maximum annual rates of compensation of the Administrative Assistant in the Office of the Majority Leader, the Administrative Assistant in the Office of the Majority Whip, the Administrative Assistant in the Office of the Minority Leader, the Administrative Assistant in the Office of the Minority Whip, the seven Reporters of Debates in the Office of the Secretary, the Assistant Secretary for the Majority, the Assistant Secretary for the Minority, the Assistant to the Majority and the Assistant to the Minority in the Office of the Secretary, the Legislative Assistant in the Office of the Majority Leader, and the Legislative Assistant in the Office of the Minority Leader (as such rates were increased by prior orders of the President pro tempore) are further increased by 5.14 percent, and as so increased, adjusted to the nearest multiple of $272. Notwithstanding the provisions of this subsection, an individual occupying a position whose annual rate of compensation is determined under this subsection shall not have his compensation fixed, by reason of the promulgation of this Order, at an annual rate in excess of $35,904, until the annual rate of basic pay for positions at such level V is increased to $39,000 or more, except that (1) any individual occupying the position of Administrative Assistant in the Office of the Majority Whip or Minority Whip shall not have his compensation fixed, by reason of the promulgation of this Order, at an annual rate in excess of $34,544 until such rate for level V is increased to $39,000 or more, and (2) any individual occupying the position of Assistant to the Majority or Assistant to the Minority in the Office of the Secretary, Legislative Assistant in the Office of the Majority Leader, or Legislative Assistant in the Office of the Minority Leader shall not have his compensation fixed, by reason of the promulgation of this Order, at an annual rate in excess of $34,272 until such rate for level V is increased to $39,000 or more.

CHAPLAIN'S OFFICE

SEC. 3. The annual rate of compensation of the Chaplain is adjusted to that multiple of $272 which is nearest to the annual rate of compensation he was receiving immediately prior to January 1, 1973. The maximum annual rate of compensation for the position of secretary to the Chaplain is that multiple of $272 which is nearest to, but not less than, the maximum annual rate of compensation in effect for such position immediately prior to January 1, 1973.

OFFICES OF THE SENATE

SEC. 4. (a) Any specific rate of compensation established by law, as such rate has been increased by or pursuant to law, for any position under the jurisdiction of the Sergeant at Arms shall be considered as the maximum annual rate of compensation for that position. Each such maximum annual rate is increased by 5.14 percent, and as so increased, adjusted to the nearest multiple of $272.

(b) The maximum annual rates of compensation for positions or classes of positions (other than those positions referred to in section 2(b) and (c) of this Order) under the jurisdiction of the Majority and Minority Leaders, the Majority and Minority Whips, the Secretary of the Senate, the Secretary for the Majority, the Secretary for the Minority, and the Comptroller of the Senate are increased by 5.14 percent, and as so increased, adjusted to the nearest multiple of $272.

(c) The following individuals are authorized to increase the annual rates of compensation of the employees specified by 5.14 percent, and as so increased, adjusted to the nearest multiple of $272:

(1) the Vice President, for any employee under his jurisdiction;

(2) the President pro tempore, for any employee under his jurisdiction (other than the Comptroller of the Senate);

(3) the Majority Leader, the Minority Leader, the Majority Whip, and the Minority Whip, for any employee under the jurisdiction of that Leader or Whip (subject to the provisions of section 2(c) of this Order);

(4) the Majority Leader, for the Secretary for the Majority so long as the position is occupied by the present incumbent (subject to the provisions of section 2(b) of this Order);

(5) the Secretary of the Senate, for any employee under his jurisdiction (subject to the provisions of section 2(b) and (c) of this Order);

(6) the Sergeant at Arms, for any employee under his jurisdiction;

(7) the Comptroller of the Senate, for his auditor;

(8) the Legislative Counsel, subject to the approval of the President pro tempore, for any employee in that Office (other than the four Senior Counsel);

(9) the Secretary for the Majority and the Secretary for the Minority, for any employee under the jurisdiction of that Secretary (subject to the provisions of section 2(c) of this Order); and

(10) the Capitol Guide Board, for the Chief Guide, the Assistant Chief Guide, and the Guides of the Capitol Guide Service.

(d) The figure "$777", appearing in the first sentence of section 106(b) of the Legislative Branch Appropriation Act, 1963, as amended [section 60j(b) of this title] (as provided in section 4(d) of the Order of the President pro tempore of December 23, 1971), shall be deemed to refer to the figure "$816".

(e) The limitation on the rate per hour per person provided by applicable law immediately prior to January 1, 1973, with respect to the folding of speeches and pamphlets for the Senate, is increased by 5.14 percent. The amount of such increase shall be computed to the nearest cent, counting one-half cent and over as a whole cent.

COMMITTEE STAFFS

SEC. 5. (a) Subject to the provisions of section 105 of the Legislative Branch Appropriation Act, 1968, as amended [enacting section 61–1 of this title and amending section 60j of this title and section 5533 of Title 5, Government Organization and Employees] (as modified by this Order), and the other provisions of this Order, the chairman of any standing, special, or select committee of the Senate (including the majority and minority policy committees and the conference majority and conference minority of the Senate), and the chairman of any joint committee of the Congress whose funds are disbursed by the Secretary of the Senate are each authorized to increase the annual rate of compensation of any employee of the committee, or subcommittee thereof, of which he is chairman, by 5.14 percent, and as so increased, adjusted to the nearest multiple of $272.

(b)(1) The figures "$8,288", "$15,281", "$14,245", "$18,648", "$22,533", and "$20,461" appearing in section 105(e) of the Legislative Branch Appropriation Act, 1968, as amended [section 61–1(e) of this title] (as provided in section 5(b)(1) of the Order of the President pro tempore of December 23, 1971), shall be deemed to refer to the figures "$8,160", "$16,048", "$14,144", "$18,496", "$23,664", and "$20,400", respectively.

(2) The maximum annual rates of $36,519, $38,073, and $39,627 appearing in such section 105(e) [section 61–1(e) of this title] (as provided in section 5(b)(2) of such Order of December 23, 1971) are each further increased by 5.14 percent, and as so increased, adjusted to the nearest multiple of $272, and shall be deemed to refer to the figures "$38,352", "$39,984", and "$41,616", respectively. Notwithstanding the provisions of this paragraph, any individual occupying a position to which any such rate applies (A) shall not have his compensation fixed at a rate exceeding $32,912, $34,544, or $35,904 per annum, respectively, as long as the annual rate of basic pay for positions at level V of the Executive Schedule under section 5316 of title 5, United States Code, is less than $39,000, and (B) shall not have his compensation fixed at a rate exceeding $35,632, $37,264, or $38,896 per annum, respectively, as long as such annual rate for positions at that level V is $39,000 or more but less than $42,000.

SENATORS' OFFICES

SEC. 6. (a) Subject to the provisions of section 105 of the Legislative Branch Appropriation Act, 1968, as amended [enacting section 61–1 of this title and amending section 60j of this title and section 5533 of Title 5, Government Organization and Employees] (as modified by this Order), and the other provisions of this Order, each Senator is authorized to increase the annual rate of compensation of any employee in his office by 5.14 percent, and as so increased, adjusted to the nearest multiple of $272.

(b) The table contained in section 105(d)(1) of such Act [section 61–1(d)(1) of this title] (as provided in section 6(b) of the Order of the President pro tempore of December 23, 1971) shall be deemed to read as follows:

"$327,216 if the population of his State is less than 3,000,000;

"$355,776 if such population is 3,000,000 but less than 4,000,000;

"$381,616 if such population is 4,000,000 but less than 5,000,000;

"$401,200 if such population is 5,000,000 but less than 7,000,000;

"$422,416 if such population is 7,000,000 but less than 9,000,000;

"$446,080 if such population is 9,000,000 but less than 10,000,000;

"$469,744 if such population is 10,000,000 but less than 11,000,000;

"$493,408 if such population is 11,000,000 but less than 12,000,000;

"$517,072 if such population is 12,000,000 but less than 13,000,000;

"$540,192 if such population is 13,000,000 but less than 15,000,000;

"$563,312 if such population is 15,000,000 but less than 17,000,000;

"$586,160 if such population is 17,000,000 or more."

(c)(1) The figures "$1,295", "$20,720", and "$27,972", appearing in the second sentence of section 105(d)(2) of such Act [section 61–1(d)(2) of this title] (as provided in section 6(c)(1) of such Order of December 23, 1971) shall be deemed to refer to the figures "$1,088", "$21,760", and "$29,376", respectively.

(2) The maximum annual rates of $33,929, $35,483, and $37,037 appearing in such second sentence (as provided in section 6(c)(2) of such Order of December 23, 1971) are each further increased by 5.14 percent, and as so increased, adjusted to the nearest multiple of $272, and shall be deemed to refer to the figures "$35,632", "$37,264", and "$38,896", respectively. Notwithstanding the provisions of this paragraph, any individual occupying a position to which such rate applies shall not have his compensation fixed at a rate exceeding $32,912, $34,544, or $35,904 per annum, respectively, until the annual rate of basic pay for positions at level V of the Executive Schedule under section 5316 of title 5, United States Code, is increased to $39,000 or more.

GENERAL LIMITATION

SEC. 7. (a) The figure "$1,295" appearing in section 105(f) of the Legislative Branch Appropriation Act, 1968, as amended [section 61–1(f) of this title] (as provided in section 7(a) of the Order of the President pro tempore of December 23, 1971) shall be deemed to refer to the figure "$1,088".

(b) The maximum annual rate of compensation of $39,627 appearing in such section (as provided in section 7(b) of such Order of December 23, 1971) is further increased by 5.14 percent, and as so increased, adjusted to the nearest multiple of $272, and shall be deemed to refer to the figure, "$41,616". Notwithstanding the provisions of this subsection, any individual occupying a position to which such rate applies (1) shall not have his compensation fixed at a rate exceeding $35,904 per annum as long as the annual rate of basic pay for positions at level V of the Executive Schedule under section 5316 of title 5, United States Code, is less than $39,000, and (2) shall not have his compensation fixed at a rate exceeding $38,896 per annum as long as such annual rate for positions at level V is $39,000 or more but less than $42,000.

NOTIFYING DISBURSING OFFICE OF INCREASES

SEC. 8. In order for an employee to be paid an increase in the annual rate of his compensation authorized under section 4, 5, or 6 of this Order, the individual designated by such section to authorize an increased rate shall notify the disbursing office of the Senate in writing that he authorizes an increase in such rate for that employee and the date such increase is to be effective.

DUAL COMPENSATION

SEC. 9. The figure "$7,724" contained in section 5533(c)(1) of title 5, United States Code, insofar as such section relates to individuals whose pay is disbursed by the Secretary of the Senate, shall be deemed, insofar as such section relates to such individuals, to refer to the figure "$9,080".

EFFECTIVE DATE

SEC. 10. Sections 1-9 of this Order are effective January 1, 1973. This section shall not be construed as prohibiting the filing with the disbursing office of the Senate, on any day earlier than such date, a notice authorizing an increase under this Order in the rate of compensation of an individual if such increase is not effective prior to such date.

JAMES O. EASTLAND,
President pro tempore.

DIRECTIVE OF THE PRESIDENT PRO TEMPORE OF THE SENATE OF THE UNITED STATES ESTABLISHING A SALARY INCREASE FOR OFFICERS AND EMPLOYEES OF THE SENATE OF THE UNITED STATES UNDER AUTHORITY OF THE FEDERAL PAY COMPARABILITY ACT OF 1970

DECEMBER 23, 1971

By virtue of the authority vested in me by section 4 of the Federal Pay Comparability Act of 1970 [section 60a-1 of this title] and section 3 of the Economic Stabilization Act Amendments of 1971 [set out as a note under section 5305 of Title 5, Government Organization and Employees], it is hereby—

Ordered,

CONVERSION TO NEW MULTIPLE

SECTION 1. (a) Except as otherwise specified in this order or unless an annual rate of compensation of an employee whose compensation is disbursed by the Secretary of the Senate is adjusted in accordance with the provisions of this order, the annual rate of compensation of each employee whose compensation is disbursed by the Secretary of the Senate is adjusted to the lowest multiple of $259 which is not lower than the rate such employee was receiving immediately prior to January 1, 1972.

(b) For purposes of this order—

(1) "employee" includes an officer other than a Senator; and

(2) "annual rate of compensation" shall not include longevity compensation authorized by section 106 of the Legislative Branch Appropriation Act, 1963, as amended [section 60j of this title].

RATE INCREASES FOR SPECIFIED POSITIONS

SEC. 2. (a) The annual rates of compensation of the Secretary of the Senate, the Sergeant at Arms, the Legislative Counsel, the Comptroller of the Senate, the secretary for the majority (other than the present incumbent), the secretary for the minority, and the four Senior Counsel in the Office of the Legislative Counsel (as such rates were increased by prior orders of the President pro tempore) are further increased by 5.5 percent, and as so increased, adjusted to the nearest multiple of $259. Notwithstanding the provisions of this subsection, an individual occupying a position whose annual rate of compensation is determined under this subsection shall not be paid, by reason of the promulgation of this order, an annual rate of compensation in excess of the annual rate of basic pay, which is now or may hereafter be in effect, for positions in level V of the Executive Schedule under section 5316 of title 5, United States Code.

(b) The maximum annual rates of compensation of the Secretary for the Majority (as long as that position is occupied by the present incumbent), the Assistant Secretary of the Senate, the Parliamentarian, the Financial Clerk, and the Chief Reporter of Debates are increased by 5.5 percent, and as so increased, adjusted to the nearest multiple of $259. Notwithstanding the provisions of this subsection, an individual occupying a position whose annual rate of compensation is determined under this subsection shall not have his compensation fixed, by reason of the promulgation of this Order, at an annual rate in excess of the annual rate of basic pay, which is now or may hereafter be in effect, for positions in level V of the Executive Schedule under section 5316 of title 5, United States Code.

(c) The maximum annual rates of compensation of the Administrative Assistant in the Office of the Majority Leader, the Administrative Assistant in the Office of the Majority Whip, the Administrative Assistant in the Office of the Minority Leader, the Administrative Assistant in the Office of the Minority Whip, the seven Reporters of Debates in the Office of the Secretary, the Assistant Secretary for the Majority, and the Assistant Secretary for the Minority are increased by 5.5 percent, and as so increased, adjusted to the nearest multiple of $259. Notwithstanding the provisions of this subsection, each individual occupying any such position shall not have his compensation fixed, by reason of the promulgation of this Order, at an annual rate in excess of $35,472, until the annual rate of basic pay for positions at such level V is increased to $38,000 or more, except that any individual occupying the position of Administrative Assistant in the Office of the Majority Whip or Minority Whip shall not have his compensation fixed, by reason of the promulgation of this Order at an annual rate in excess of $34,447 until such rate for level V is increased to $38,000 or more.

CHAPLAIN'S OFFICE

SEC. 3. The annual rate of compensation of the Chaplain is adjusted to that multiple of $259 which is nearest to the annual rate of compensation he was receiving immediately prior to January 1, 1972. The maximum annual rate of compensation for the position of secretary to the Chaplain is the maximum rate in effect immediately prior to January 1, 1972, adjusted to the nearest multiple of $259.

OFFICES OF THE SENATE

SEC. 4. (a) Any specific rate of compensation established by law, as such rate has been increased by or pursuant to law, for any position under the jurisdiction of the Sergeant at Arms (including positions established by the Supplemental Appropriations Act, 1972) shall be considered as the maximum annual rate of compensation for that position. Each such maximum annual rate is increased by 5.5 percent, and as so increased, adjusted to the nearest multiple of $259. The Sergeant at Arms is hereafter authorized to adjust the rate of compensation of an individual occu-

pying any such position to a rate not exceeding such maximum rate as authorized by this Order or hereafter changed by or pursuant to law.

(b) The maximum annual rates of compensation for positions or classes of positions (other than those positions referred to in sections 2(b) and (c) of this Order) under the jurisdiction of the Majority and Minority Leaders, the Majority and Minority Whips, the Secretary of the Senate, the Secretary for the Minority and the Comptroller of the Senate are increased by 5.5 percent, and as so increased, adjusted to the nearest multiple of $259.

(c) The following individuals are authorized to increase the annual rates of compensation of the employees specified by 5.5 percent, and as so increased, adjusted to the nearest multiple of $259:

(1) the Vice President, for any employee under his jurisdiction;

(2) the President pro tempore, for any employee under his jurisdiction (other than the Comptroller of the Senate);

(3) the Majority Leader, the Minority Leader, the Majority Whip, and the Minority Whip, for any employee under the jurisdiction of that Leader or Whip (subject to the provisions of section 2(c) of this Order);

(4) the Majority Leader, for the Secretary for the Majority so long as the position is occupied by the present incumbent (subject to the provisions of section 2(b) of this Order);

(5) the Secretary of the Senate, for any employee under his jurisdiction (subject to the provisions of sections 2(b) and (c) of this Order);

(6) the Sergeant at Arms, for any employee under his jurisdiction;

(7) the Comptroller of the Senate, for his secretary;

(8) the Legislative Counsel, subject to the approval of the President pro tempore, for any employee in that Office (other than the four Senior Counsel);

(9) the Secretary for the Majority and the Secretary for the Minority, for any employee under the jurisdiction of that Secretary (subject to the provisions of section 2(c) of this Order); and

(10) the Capitol Guide Board, for the Chief Guide, the Assistant Chief Guide, and the Guides of the Capitol Guide Service.

(d) The figure "$738", appearing in the first sentence of section 106(b) of the Legislative Branch Appropriation Act, 1963, as amended [section 60j(b) of this title] (as increased by prior Orders of the President pro tempore), shall be deemed to refer to the figure "$777".

(e) The limitation on the rate per hour per person provided by applicable law immediately prior to January 1, 1972, with respect to the folding of speeches and pamphlets for the Senate, is increased by 5.5 percent. The amount of such increase shall be computed to the nearest cent, counting one-half cent and over as a whole cent.

COMMITTEE STAFFS

Sec. 5. (a) Subject to the provisions of section 105 of the Legislative Branch Appropriation Act, 1968, as amended [enacting section 61–1 of this title and amending section 60j of this title and section 5533 of Title 5, Government Organization and Employees] (as modified by this Order), and the other provisions of this Order, the chairman of any standing or select committee of the Senate (including the majority and minority policy committees and the conference majority and conference minority of the Senate), and the chairman of any joint committee of the Congress whose funds are disbursed by the Secretary of the Senate are each authorized to increase the annual rate of compensation of any employee of the committee, or subcommittee thereof, of which he is chairman, by 5.5 percent, and as so increased, adjusted to the nearest multiple of $259.

(b)(1) The figures "$8,118", "$14,514", "$14,022", "$18,450", "$21,402", and "$20,418" appearing in section 105(e) of the Legislative Branch Appropriations Act, 1968, as amended [section 61–1(e) of this title] (as modified by the Order of the President pro tempore of January 15, 1971), shall be deemed to refer to the figures "$8,288", "$15,281", "$14,245", "$18,648", "$22,533", and "$20,461", respectively.

(2) The maximum annual rates of $32,712, $34,104, and $35,496 appearing in such section, and as increased and adjusted by section 5(b)(2) of the order of the President pro tempore of January 15, 1971, are each further increased by 5.5 percent, and as so increased, adjusted to the nearest multiple of $259. Notwithstanding the provisions of this paragraph, any individual occupying a position to which any such rate applies (A) shall not have his compensation fixed at a rate exceeding $32,893, $34,447, or $35,742 per annum, respectively, as long as the annual rate of basic pay for positions at level V of the Executive schedule under section 5316 of title 5, United States Code, is less than $38,000, and (B) shall not have his compensation fixed at a rate exceeding $34,706, $36,260, or $37,814 per annum, respectively, as long as such annual rate for positions at that level V is $38,000 or more but less than $40,000.

SENATOR'S OFFICES

Sec. 6. (a) Subject to the provisions of section 105 of the Legislative Branch Appropriation Act, 1968, as amended [enacting section 61–1 of this title and amending section 60j of this title and section 5533 of Title 5, Government Organization and Employees] (as modified by this order), and the other provisions of this order, each Senator is authorized to increase the annual rate of compensation of any employee in his office by 5.5 percent, and as so increased, adjusted to the nearest multiple of $259.

(b) The table contained in section 105(d)(1) of such Act [section 61–1(a)(1) of this title], as amended by the Supplemental Appropriations Act, 1972, shall be deemed to read as follows:

"$311,577 if the population of his State is less than 3,000,000;

"$338,772 if such population is 3,000,000 but less than 4,000,000;

"$363,377 if such population is 4,000,000 but less than 5,000,000;

"$382,025 if such population is 5,000,000 but less than 7,000,000;

"$402,227 if such population is 7,000,000 but less than 9,000,000;

"$424,760 if such population is 9,000,000 but less than 10,000,000;

"$447,293 if such population is 10,000,000 but less than 11,000,000;

"$469,826 if such population is 11,000,000 but less than 12,000,000;

"$492,359 if such population is 12,000,000 but less than 13,000,000;

"$514,374 if such population is 13,000,000 but less than 15,000,000;

"$536,389 if such population is 15,000,000 but less than 17,000,000;

"$558,145 if such population is 17,000,000 or more.".

(c)(1) The figures "$1,230", "$19,680", and "$26,568" appearing in the second sentence of section 105(d)(2) of such Act [section 61–1(d)(2) of this title] shall be deemed to refer to the figures "$1,295", "$20,720", and "$27,972", respectively.

(2) The maximum annual rates of $32,226, $33,702, and $35,178 appearing in such second sentence are each increased by 5.5 percent, and as so increased, adjusted to the nearest multiple of $259. Notwithstanding the provisions of this paragraph, any individual occupying a position to which such rate applies shall not have his compensation fixed at a rate exceeding $32,893, $34,447, or $35,742, per annum, respectively, until the annual rate of basic pay for positions at level V of the Executive Schedule under section 5316 of title 5, United States Code, is increased to $38,000 or more.

GENERAL LIMITATION

SEC. 7. (a) The figure "$1,230" appearing in section 105(f) of the Legislative Branch Appropriation Act, 1968, as amended [section 61-1(f) of this title], shall be deemed to read "$1,295".

(b) The maximum annual rate of compensation of $35,496 appearing in such section, as increased by section 7(b) of the Order of the President pro tempore of January 15, 1971, is further increased by 5.5 percent, and as so increased, adjusted to the nearest multiple of $259. Notwithstanding the provisions of this subsection, any individual occupying a position to which such rate applies (1) shall not have his compensation fixed at a rate exceeding $35,742 per annum as long as the annual rate of basic pay for positions at level V of the Executive Schedule under section 5316 of title 5, United States Code, is less than $38,000, and (2) shall not have his compensation fixed at a rate exceeding $37,814 per annum as long as such annual rate for positions at that level V is $38,000 or more but less than $40,000.

NOTIFYING DISBURSING OFFICE OF INCREASES

SEC. 8. In order for an employee to be paid an increase in the annual rate of his compensation authorized under section 4, 5, or 6 of this Order, the individual designated by such section to authorize an increased rate shall notify the disbursing office of the Senate in writing that he authorizes an increase in such rate for that employee and the date such increase is to be effective.

DUAL COMPENSATION

SEC. 9. The figure "$7,724" contained in section 5533(c)(1) of title 5, United States Code, insofar as such section relates to individuals whose pay is disbursed by the Secretary of the Senate, shall be deemed, insofar as such section relates to such individuals, to refer to the figure "$8,637".

EFFECTIVE DATE

SEC. 10. Sections 1-9 of this Order are effective January 1, 1972. This section shall not be construed as prohibiting the filing with the disbursing office of the Senate, on any day earlier than such date, a notice authorizing an increase under this Order in the rate of compensation of an individual if such increase is not effective prior to such date.

ALLEN J. ELLENDER,
President pro tempore.

DIRECTIVE OF THE PRESIDENT PRO TEMPORE OF THE SENATE OF THE UNITED STATES ESTABLISHING A SALARY INCREASE FOR OFFICERS AND EMPLOYEES OF THE SENATE OF THE UNITED STATES UNDER AUTHORITY OF THE FEDERAL PAY COMPARABILITY ACT OF 1970

JANUARY 15, 1971

By virtue of the authority vested in me by section 4 of the Federal Pay Comparability Act of 1970 [section 60a-1 of this title], it is hereby—

Ordered,

CONVERSION TO NEW MULTIPLE

SECTION 1. (a) Except as otherwise specified in this Order or unless an annual rate of compensation of an employee whose compensation is disbursed by the Secretary of the Senate is adjusted in accordance with the provisions of this Order, the annual rate of compensation of each employee whose compensation is disbursed by the Secretary of the Senate is adjusted to the lowest multiple of $246 which is not lower than the rate such employee was receiving immediately prior to February 1, 1971.

(b) For purposes of this Order—

(1) "employee" includes an officer other than a Senator; and

(2) "annual rate of compensation" shall not include longevity compensation authorized by section 106 of the Legislative Branch Appropriation Act, 1963, as amended [section 60j of this title].

RATE INCREASES FOR SPECIFIED POSITIONS

SEC. 2. (a) The annual rates of compensation of the Secretary of the Senate, the Sergeant at Arms, the Legislative Counsel, and the Comptroller of the Senate (as such rates were increased by prior orders of the President pro tempore) are further increased by 6 percent, and as so increased, adjusted to the nearest multiple of $246. Notwithstanding the provisions of this subsection, an individual occupying a position whose annual rate of compensation is determined under this subsection shall not be paid, by reason of the promulgation of this Order, an annual rate of compensation in excess of the annual rate of basic pay, which is now or may hereafter be in effect, for positions in level V of the Executive Schedule under section 5316 of title 5, United States Code.

(b) The annual rates of compensation of the Secretary for the Majority (other than the present incumbent), the Secretary for the Minority, and the four Senior Counsels in the Office of the Legislative Counsel (as such rates were increased by prior Orders of the President pro tempore) are further increased by 6 percent, and as so increased, adjusted to the nearest multiple of $246. Notwithstanding the provisions of this subsection, each individual occupying a position whose rate of compensation is determined under this subsection shall be paid by reason of the promulgation of this Order, only $35,916 per annum until the annual rate of basic pay for positions at such level V is increased to $38,000 or more.

(c) The maximum annual rates of compensation of the Secretary for the Majority (as long as that position is occupied by the present incumbent), the Chief Clerk, the Parliamentarian, the Financial Clerk, and the Chief Reporter of Debates are increased by 6 percent, and as so increased, adjusted to the nearest multiple of $246. Notwithstanding the provisions of this subsection, an individual occupying any such position shall not have his compensation fixed by reason of the promulgation of this Order, at an annual rate in excess of $35,916 until the annual rate of basic pay for positions at such level V is increased to $38,000 or more.

CHAPLAIN'S OFFICE

SEC. 3. The annual rate of compensation of the Chaplain is adjusted to that multiple of $246 which is nearest to the annual rate of compensation he was receiving immediately prior to February 1, 1971. The maximum annual rate of compensation for the position of secretary to the Chaplain is the maximum rate in effect immediately prior to February 1, 1971, adjusted to the nearest multiple of $246.

OFFICES OF THE SENATE

SEC. 4. (a) Any specific rate of compensation established by law, as such rate has been increased by or pursuant to law, for any position under the jurisdiction of the Sergeant at Arms shall be considered as the maximum annual rate of compensation for that position. Each such maximum annual rate is increased by 6 percent, and as so increased, adjusted to the nearest multiple of $246. The Sergeant at Arms is hereafter authorized to adjust the rate of compensation of an individual occupying any such position to a rate not exceeding such maximum rate as authorized by this Order or hereafter changed by or pursuant to law.

(b) The maximum annual rates of compensation for positions, or classes of positions, under the jurisdictions of the Majority and Minority Leaders, the Majority and Minority Whips, the Secretary of the Senate, the Secretary for the Majority, the Secretary for the Minority, and the Comptroller of the Senate are increased by 6 percent, and as so increased, adjusted to the nearest multiple of $246.

(c) The following individuals are authorized to increase the annual rates of compensation of the em-

ployees specified by 6 percent, and as so increased, adjusted to the nearest multiple of $246:

(1) the Vice President, for any employee under his jurisdiction;

(2) the President pro tempore, for any employee under his jurisdiction (other than the Comptroller of the Senate);

(3) the Majority Leader, the Minority Leader, the Majority Whip, and the Minority Whip, for any employee under the jurisdiction of that Leader or Whip;

(4) the Majority Leader, for the Secretary for the Majority so long as the position is occupied by the present incumbent (subject to the provisions of section 2(c) of this Order);

(5) the Secretary of the Senate, for any employee under his jurisdiction (subject to the provisions of section 2(c) of this Order);

(6) the Sergeant at Arms, for any employee under his jurisdiction;

(7) the Comptroller of the Senate, for his secretary;

(8) the Legislative Counsel, subject to the approval of the President pro tempore, for any employee in that Office (other than the four Senior Counsel); and

(9) the Secretary for the Majority and the Secretary for the Minority, for any employee under the jurisdiction of that Secretary.

(d) The figure "$696", appearing in the first sentence of section 106(b) of the Legislative Branch Appropriation Act, 1963, as amended [section 60j(b) of this title] (as increased by prior Orders of the President pro tempore), shall be deemed to refer to the figure "$738".

(e) The limitation on the rate per hour per person provided by applicable law immediately prior to February 1, 1971, with respect to the folding of speeches and pamphlets for the Senate, is increased by 6 percent. The amount of such increase shall be computed to the nearest cent, counting one-half cent and over as a whole cent.

COMMITTEE STAFFS

SEC. 5. (a) Subject to the provisions of section 105 of the Legislative Branch Appropriation Act, 1968, as amended [enacting section 61-1 of this title and amending section 60j of this title and section 5533 of Title 5, Government Organization and Employees] (as modified by this Order), and the other provisions of this Order, the chairman of any standing or select committee of the Senate (including the majority and minority policy committees and the conference majority and conference minority of the Senate), and the chairman of any joint committee of the Congress whose funds are disbursed by the Secretary of the Senate are each authorized to increase the annual rate of compensation of any employee of the committee, or subcommittee thereof, of which he is chairman, by 6 percent, and as so increased, adjusted to the nearest multiple of $246.

(b)(1) The figures "$7,888", "$13,688", "$13,920", "$18,382", "$20,184", and "$20,416", appearing in section 105(e) of the Legislative Branch Appropriation Act, as amended [section 61-1(e) of this title], shall be deemed to refer to the figures "$8,118", "$14,514", "$14,022", "$18,450", "$21,402", and "$20,418", respectively.

(2) The maximum annual rates of $32,712, $34,104, and $35,496 appearing in such section are each increased by 6 percent, and as so increased, adjusted to the nearest multiple of $246. Notwithstanding the provisions of this paragraph, any individual occupying a position to which any such rate applies shall not have his compensation fixed at a rate exceeding $32,718, $34,194, of $35,670 per annum, respectively, until the annual rate of basic pay for positions at level V of the Executive Schedule under section 5316 of title 5, United States Code, is increased to $38,000 or more.

SENATORS' OFFICES

SEC. 6. (a) Subject to the provisions of section 105 of the Legislative Branch Appropriation Act, 1968, as amended [enacting section 61-1 of this title and amending section 60j of this title and section 5533 of Title 5, Government Organization and Employees] (as modified by this Order), and the other provisions of this Order, each Senator is authorized to increase the annual rate of compensation of any employee in his office by 6 percent, and as so increased, adjusted to the nearest multiple of $246.

(b) The table contained in section 105(d)(1) of such Act [section 61-1(d)(1) of this title] shall be deemed to read as follows:

"$295,938 if the population of his State is less than 3,000,000;

"$313,158 if such a population is 3,000,000 but less than 4,000,000;

"$327,918 if such population is 4,000,000 but less than 5,000,000;

"$341,448 if such population is 5,000,000 but less than 7,000,000;

"$356,208 if such population is 7,000,000 but less than 9,000,000;

"$373,428 if such population is 9,000,000 but less than 10,000,000;

"$390,648 if such population is 10,000,000 but less than 11,000,000;

"$407,868 if such population is 11,000,000 but less than 12,000,000;

"$425,088 if such population is 12,000,000 but less than 13,000,000;

"$442,308 if such population is 13,000,000 but less than 15,000,000;

"$459,528 if such population is 15,000,000 but less than 17,000,000;

"$477,978 if such population is 17,000,000 or more."

(c) The second sentence of paragraph (2) of such section [section 61-1(d)(2) of this title] shall be deemed to read as follows: "The salary of an employee in a Senator's office shall not be fixed under this paragraph at a rate less than $1,230 per annum or in excess of $19,680 per annum, except that (i) the salary of two employees may be fixed at rates of not more than $26,568 per annum, (ii) the salary of one employee may be fixed at a rate of not more than $32,226 per annum, (iii) the salaries of two employees may be fixed at rates of not more than $33,702 per annum, and (iv) the salary of one employee may be fixed at a rate of not more than $35,178 per annum.".

GENERAL LIMITATION

SEC. 7. (a) The figure "$1,160" appearing in section 105(f) of the Legislative Branch Appropriation Act, 1968, as amended [section 61-1(f) of this title], shall be deemed to read "$1,230".

(b) The maximum annual rate of compensation of $35,496 appearing in such section is increased by 6 percent, and as so increased, adjusted to the nearest multiple of $246. Notwithstanding the provisions of this subsection, any individual occupying a position to which such rate applies shall not have his compensation fixed at a rate exceeding $35,670 per annum until the annual rate of basic pay for positions at level V of the Executive Schedule under section 5316 of title 5, United States Code, is increased to $38,000 or more.

NOTIFYING DISBURSING OFFICE OF INCREASES

SEC. 8. In order for an employee to be paid an increase in the annual rate of his compensation authorized under section 4, 5, or 6 of this Order, the individual designated by such section to authorize an increased rate shall notify the disbursing office of the Senate in writing that he authorizes an increase in such rate for that employee and the date of such increase is to be effective.

DUAL COMPENSATION

SEC. 9. The figure "$7,724" contained in section 5533(e)(1) of title 5, United States Code, insofar as such section relates to individuals whose pay is disbursed by the Secretary of the Senate, shall be deemed, insofar as such section relates to such individuals, to refer to the figure "$8,187."

EFFECTIVE DATE

SEC. 10. Sections 1-9 of this Order are effective on February 1, 1971. This section shall not be construed as prohibiting the filing with the disbursing office of the Senate, on any day earlier than such date, a notice authorizing an increase under this Order in the rate of compensation of an individual if such increase is not effective prior to such date.

RICHARD B. RUSSELL,
President pro tempore.

DIRECTIVE OF THE PRESIDENT PRO TEMPORE OF THE SENATE OF THE UNITED STATES IMPLEMENTING THE SALARY COMPARABILITY POLICY IN 1969 FOR OFFICERS AND EMPLOYEES OF THE SENATE OF THE UNITED STATES REQUIRED BY SECTION 212 OF THE FEDERAL SALARY ACT OF 1967 [SECTION 5304 NOTE OF TITLE 5]

JUNE 17, 1969

By virtue of the authority vested in me by section 212 of the Federal Salary Act of 1967 (81 Stat. 634) [section 5304 note of title 5], it is hereby *Ordered*, That (a) effective July 1, 1969, the annual rate of gross compensation of each officer or employee whose compensation is disbursed by the Secretary of the Senate (1) shall be increased by 10.05 per centum, and (2) as so increased, shall be adjusted to the nearest multiple of $219. As used in this subsection, the "officer" does not include a Senator.

(b) In any case in which the rate of compensation of any officer, employee, or position, or class of officers, employees, or positions, the compensation for which is disbursed by the Secretary of the Senate, or any minimum or maximum rate with respect to such officer, employee, position, or class is referred to in or provided by statute, Senate resolution, or the Order of the President pro tempore of June 12, 1968, such statutory provision, resolution, or Order shall be deemed to refer to the rate which an officer or employee subject to the provisions of subsection (a) receiving such rate immediately prior to the effective date of the increase provided by such subsection would be entitled (without regard to such statutory provision, resolution, or Order) to receive on and after such date.

(c) The annual rate of gross compensation of each employee in the office of a Senator shall be adjusted, effective July 1, 1969, to the lowest multiple of $219 which is not lower than the rate such employee was receiving immediately prior thereto, except that the foregoing provisions of this subsection shall not apply in the case of any employee if on or before June 30, 1969, the Senator by whom such employee is employed notifies the disbursing office of the Senate in writing that he does not wish such provisions to apply to such employee. In any case in which, at the expiration of the time within which a Senator may give notice under this subsection, such Senator is deceased, such notice shall be deemed to have been given.

SEC. 2. The table contained in section 105(d)(1) of the Legislative Branch Appropriation Act, 1968, as amended [section 61-1(d)(1) of this title], shall be deemed on and after July 1, 1969, to read as follows:

"$239,805 if the population of his State is less than 3,000,000;

"$255,135 if such population is 3,000,000 but less than 4,000,000;

"$268,275 if such population is 4,000,000 but less than 5,000,000;

"$280,320 if such population is 5,000,000 but less than 7,000,000;

"$293,460 if such population is 7,000,000 but less than 9,000,000;

"$308,790 if such population is 9,000,000 but less than 10,000,000;

"$324,120 if such population is 10,000,000 but less than 11,000,000;

"$339,450 if such population is 11,000,000 but less than 12,000,000;

"$854,780 if such population is 12,000,000 but less than 13,000,000;

"$370,110 if such population is 13,000,000 but less than 15,000,000;

"$385,440 if such population is 15,000,000 but less than 17,000,000;

"$401,865 if such population is 17,000,000 or more.".

SEC. 3. The limitation on gross rate per hour per person provided by applicable law on July 1, 1969, with respect to the folding of speeches and pamphlets for the Senate is hereby increased, effective on such date, by 10.05 per centum. The amount of such increase shall be computed to the nearest cent, counting one-half cent and over as a whole cent. The provisions of subsection (a) of the first section shall not apply to employees whose compensation is subject to such limitation, or to employees referred to in the last proviso in the second paragraph under the heading "SENATE" in the Second Deficiency Appropriation Act, 1948.

SEC. 4. (a) The figure "$199" appearing in section 105(a)(1) of the Legislative Branch Appropriation Act, 1968, as amended [section 61-1(a)(1) of this title] (as increased by the Order of the President pro tempore of June 12, 1968), shall be deemed on and after July 1, 1969, to refer to the figure "$219".

(b) The figures "$1,194", "$6,766", "$11,741", "$11,940", "$15,721", "$15,920", "$17,313", "$17,512", "$21,492", "$26,069", "$27,263", and "$28,457", appearing in section 105 of such Act [enacting section 61-1 of this title and amending section 60j of this title and section 5533 of title 5] (as increased by such Order) shall be deemed on and after July 1, 1969, to refer to the figures "$1,095", "$7,446", "$12,921", "$13,140", "$17,301", "$17,520", "$19,053", "$19,272", "$23,652", "$28,689", "$30,003", and "$31,317", respectively.

(c) The figure "$597", appearing in the first sentence of section 106(b) of the Legislative Branch Appropriation Act, 1963, as amended (as increased by such Order) [section 60j(b) of this title], shall be deemed on and after July 1, 1969, to refer to the figure "$657".

(d) The figure "$6,662", contained in section 5533(c)(1)(A) of title 5, United States Code (as increased by such Order insofar as it relates to individuals whose pay is disbursed by the Secretary of the Senate), shall be deemed on and after July 1, 1969, insofar as it relates to such individuals, to refer to the figure "$7,287".

RICHARD B. RUSSELL,
President pro tempore.

DIRECTIVE OF THE PRESIDENT PRO TEMPORE OF THE SENATE OF THE UNITED STATES IMPLEMENTING THE SALARY COMPARABILITY POLICY IN 1968 FOR OFFICERS AND EMPLOYEES OF THE SENATE OF THE UNITED STATES REQUIRED BY SECTION 212 OF THE FEDERAL SALARY ACT OF 1967 [SECTION 5304 NOTE OF TITLE 5]

JUNE 12, 1968

By virtue of the authority vested in me by section 212 of the Federal Salary Act of 1967 (81 Stat. 634) [section 5304 note of title 5], it is hereby

Ordered, That (a)(1) effective July 1, 1968, the annual rate of gross compensation of each officer or employee whose compensation is disbursed by the Secretary of the Senate (i) shall be increased by 5.85 per centum, (ii) as so increased, shall be adjusted to the nearest multiple of $199. As used in this subsection, the term "officer" does not include a Senator.

(2) No annual rate of gross compensation which is $28,000 or more shall be increased under this subsection, and no annual rate of gross compensation shall be increased under this subsection to an amount in excess of $28,000.

(b) In any case in which the rate of compensation of any officer, employee, or position, or class of officers, employees, or positions, the compensation for which is disbursed by the Secretary of the Senate, or any minimum or maximum rate with respect to such officer, employee, position, or class is referred to in or provided by statute or Senate resolution, such statutory provision or resolution shall be deemed to refer to the rate which an officer or employee subject to the provi-

sions of subsection (a) receiving such rate immediately prior to the effective date of the increase provided by such subsection would be entitled (without regard to such statutory provision or resolution) to receive on and after such date.

(c) The annual rate of gross compensation of each employee in the office of a Senator shall be adjusted, effective on July 1, 1968, to the lowest multiple of $199 which is not lower than the rate such employee was receiving immediately prior thereto, except that the foregoing provisions of this subsection shall not apply in the case of any employee if on or before June 30, 1968, the Senator by whom such employee is employed notifies the disbursing office of the Senate in writing that he does not wish such provisions to apply to such employee. In any case in which, at the expiration of the time within which a Senator may give notice under this subsection, such Senator is deceased, such notice shall be deemed to have been given.

(d) The table contained in section 105(d)(1) of the Legislative Branch Appropriation Act, 1968, as amended [section 61-1(d)(1) of this title], shall be deemed on and after July 1, 1968, to read as follows:

"$210,940 if the population of his State is less than 3,000,000;

"$224,870 if such population is 3,000,000 but less than 4,000,000;

"$236,810 if such population is 4,000,000 but less than 5,000,000;

"$247,755 if such population is 5,000,000 but less than 7,000,000;

"$259,695 if such population is 7,000,000 but less than 9,000,000;

"$273,625 if such population is 9,000,000 but less than 10,000,000;

"$287,555 if such population is 10,000,000 but less than 11,000,000;

"$301,485 if such population is 11,000,000 but less than 12,000,000;

"$315,415 if such population is 12,000,000 but less than 13,000,000;

"$329,345 if such population is 13,000,000 but less than 15,000,000;

"$343,275 if such population is 15,000,000 but less than 17,000,000;

"$358,200 if such population is 17,000,000 or more".

(e) The limitation on gross rate per hour per person provided by applicable law on July 1, 1968, with respect to the folding of speeches and pamphlets for the Senate is hereby increased, effective on such date, by 5.85 per centum. The amount of such increase shall be computed to the nearest cent, counting one-half cent and over as a whole cent. The provisions of subsection (a) shall not apply to employees whose compensation is subject to such limitation, or to employees referred to in the last proviso in the second paragraph under the heading "SENATE" in the Second Deficiency Appropriation Act, 1948.

(f) The figure "$188" contained in section 105(a)(1) of the Legislative Branch Appropriation Act, 1968, as amended [section 61-1(a)(1) of this title], shall be deemed on and after July 1, 1968, to refer to the figure "$199".

(g) Except as provided in section 2(b) of this Order, whenever the figures "$1,128", "$6,392", "$11,092", "$11,280", "$14,852", "$15,040", "$16,356", "$16,544", "$18,988", "$23,312", "$24,440", and "$25,568", appear in section 105 of such Act [enacting section 61-1 of this title and amending section 60j of this title and section 5533 of title 5] they shall be deemed on and after July 1, 1968, to refer to the figures "$1,194", "$6,766", "$11,741", "$11,940", "$15,721", "$15,920", "$17,313", "$17,512", "$20,099", "$24,676", "$25,870", and "$27,064", respectively.

(h) The figure "$564" contained in the first sentence of section 106(b) of the Legislative Branch Appropriation Act, 1963, as amended (2 U.S.C. 60j), shall be deemed on, and after July 1, 1968, to refer to the figure "$597".

(i) The figure "$6,256" contained in section 5533(c)(1)(A) of title 5, United States Code, insofar as it relates to individuals whose pay is disbursed by the Secretary of the Senate, shall be deemed on and after July 1, 1968, to refer to the figure "$6,622".

SEC. 2. (a) If the annual rate of basic pay for positions in level V of the Executive Schedule under section 5316 of title 5, United States Code, is increased effective on or before May 31, 1969, to $30,000 or more, the annual rates of gross compensation of the Secretary of the Senate, the Sergeant at Arms, the Secretary for the Majority, the Secretary for the Minority, the Parliamentarian, the Chief Clerk, the Financial Clerk, the Chief Reporter of Debates, the Legislative Counsel, and the four Senior Counsel in the Office of the Legislative Counsel (i) shall be increased to the amounts to which such rates would have been increased and adjusted under subsection (a) of the first section except for the provisions of paragraph (2) thereof, and (ii) (A) such rates, as so increased and adjusted, (B) the annual rates of gross compensation of the seven Reporters of Debates, the Deputy Sergeant at Arms, the Administrative Assistant to the Sergeant at Arms, the Assistant Financial Clerk, and the Director, Recording Studio, and (C) the maximum rates of gross compensation authorized for the present incumbent of the office of Secretary for the Majority and for the Assistant Secretary for the Majority, the Assistant Secretary for the Minority, the Research Assistant to the Majority Leader, the Research Assistant to the Minority Leader, the Assistant to the Majority and the Assistant to the Minority in the Office of the Secretary, the Assistant Parliamentarian, the Legislative Clerk, and the Journal Clerk, shall be increased on the first day of the month following the effective date of such increase in the rate for positions in level V by 5 per centum. Such rates as increased under clause (ii), shall be adjusted to the nearest multiple of $199.

(b) If the annual rate of basic pay for positions in level V of the Executive Schedule under section 5316 of title 5, United States Code, is increased effective on or before May 31, 1969, to $30,000 or more, the figures "$20,099", "$24,676", "$25,870", and "$27,064" contained in subsection (g) of the first section shall be deemed on and after the first day of the month following the effective date of such increase to refer to the figures "$21,492", "$26,069", "$27,263", and "$28,457", respectively.

(c) If the annual rate of basic pay for positions in level V of the Executive Schedule under section 5316 of title 5, United States Code, is increased effective on or before May 31, 1969, to $30,000 or more, each amount contained in the table referred to in subsection (d) of the first section shall be increased on the first day of the month following the effective date of such increase in the rate for positions in level V by $6,965.

CARL HAYDEN,
President pro tempore.

INCREASE IN COMPENSATION OF OFFICERS OF SENATE; LIMITATIONS ON BASIC AND GROSS COMPENSATION—1966

Pub. L. 89-504, title III, § 302(g), (h), July 18, 1966, 80 Stat. 295, provided that:

"(g) Notwithstanding the provision referred to in subsection (h), the rates of gross compensation of the Secretary for the Majority of the Senate, the Secretary for the Minority of the Senate, the Chief Reporter of Debates of the Senate, the Parliamentarian of the Senate, the Senior Counsel in the Office of the Legislative Counsel of the Senate, the Chief Clerk of the Senate, the Chaplain of the Senate, and the Postmaster and Assistant Postmaster of the Senate are hereby increased by 2.9 per centum.

"(h) The paragraph imposing limitations on basic and gross compensation of officers and employees of the Senate appearing under the heading 'SENATE' in the Legislative Appropriation Act, 1956, as amended (74 Stat. 304; Public Law 86-568), is amended by striking out '$23,770' and inserting in lieu thereof '$24,460'." [The paragraph in the Legislative Appropri-

ation Act, 1956, referred to above, was repealed by Pub. L. 90-57, § 105(i)(3), July 28, 1967, 81 Stat. 144, eff. Aug. 1, 1967.]

INCREASE IN COMPENSATION OF OFFICERS OF SENATE; LIMITATIONS ON BASIC AND GROSS COMPENSATION—1965

Section 11(g), (h) of Pub. L. 89-301, Oct. 29, 1965, 79 Stat. 1121, provided that:

"(g) Notwithstanding the provision referred to in subsection (h), the rates of gross compensation of the Secretary for the Majority of the Senate, the Secretary for the Minority of the Senate, the Chief Reporter of Debates of the Senate, the Parliamentarian of the Senate, the Senior Counsel in the Office of the Legislative Counsel of the Senate, the Chief Clerk of the Senate, the Chaplain of the Senate, and the Postmaster and Assistant Postmaster of the Senate are hereby increased by 3.6 per centum.

"(h) The paragraph imposing limitations on basic and gross compensation of officers and employees of the Senate appearing under the heading 'SENATE' in the Legislative Appropriation Act, 1956, as amended (74 Stat. 304; Public Law 86-568), is amended by striking out '$22,945' and inserting in lieu thereof '$23,770'." [The paragraph in the Legislative Appropriation Act, 1956, referred to above, was repealed by Pub. L. 90-57, § 105(i)(3), July 28, 1967, 81 Stat. 144, eff. Aug. 1, 1967.]

INCREASE IN COMPENSATION OF OFFICERS OF SENATE; LIMITATIONS ON BASIC AND GROSS COMPENSATION—1964

Section 202(f), (g) of Pub. L. 88-426, title II, Aug. 14, 1964, 78 Stat. 414, provided that:

"(f) Notwithstanding the provision referred to in subsection (g), the rates of gross compensation of the Secretary for the Majority of the Senate, the Secretary for the Minority of the Senate, the Official Reporters of Debates of the Senate, the Parliamentarian of the Senate, the Senior Counsel in the Office of the Legislative Counsel of the Senate, and the Chief Clerk of the Senate are hereby increased by an amount which is equal to the amount of the increase which would be provided by subsection (a) of this section [section 60e-11 of this title] in that gross rate determined without regard to the provisions referred to in subsection (g) of this section which is nearest in amount to the total annual compensation of such officer or employee.

"(g) The paragraph imposing limitations on basic and gross compensation of officers and employees of the Senate appearing under the heading 'SENATE' in the Legislative Appropriation Act, 1956, as amended (74 Stat. 304; Public Law 86-568), is amended by striking out '$18,880' and inserting in lieu thereof '$22,945'." [The paragraph in the Legislative Appropriation Act, 1956, referred to above, was repealed by Pub. L. 90-57, § 105(i)(3), July 28, 1967, 81 Stat. 144, eff. Aug. 1, 1967.]

INCREASE IN COMPENSATION OF OFFICERS OF SENATE; LIMITATIONS ON BASIC AND GROSS COMPENSATION—1962

Pub. L. 87-793, § 1005(c), (d), Oct. 11, 1962, 76 Stat. 867, provided that:

"(c) Notwithstanding the provision referred to in subsection (d), the rates of gross compensation of the elected officers of the Senate (except the Presiding Officer of the Senate), the Legislative Counsel of the Senate, the Official Reporters of Debates of the Senate, the Parliamentarian of the Senate, the Senior Counsel in the Office of the Legislative Counsel of the Senate, and the Chief Clerk of the Senate are hereby increased by 7 per centum.

"(d) The paragraph imposing limitations on basic and gross compensation of officers and employees of the Senate appearing under the heading 'SENATE' in the Legislative Appropriation Act, 1956, as amended (74 Stat. 304; Public Law 86-568), is amended to read as follows:

"No officer or employee whose compensation is disbursed by the Secretary of the Senate shall be paid basic compensation at a rate in excess of $8,880 per annum, or gross compensation at a rate in excess of $18,880 per annum, unless expressly authorized by law." [The paragraph in the Legislative Appropriation Act, 1956, referred to above, was repealed by Pub. L. 90-57, § 105(i)(3), July 28, 1967, 81 Stat. 144, eff. Aug. 1, 1967.]

INCREASE IN COMPENSATION OF OFFICERS OF SENATE; LIMITATIONS ON BASIC AND GROSS COMPENSATION—1960

Pub. L. 86-568, title I, § 117(c), (d), July 1, 1960, 74 Stat. 303, provided that:

"(c) Notwithstanding the provision referred to in subsection (d), the rates of gross compensation of each of the elected officers of the Senate (except the Presiding Officer of the Senate), the Parliamentarian of the Senate, the Legislative Counsel of the Senate, the Senior Counsel in the Office of the Legislative Counsel of the Senate, and the Chief Clerk of the Senate are hereby increased by 7.5 per centum.

"(d) The paragraph imposing limitations on basic and gross compensation of officers and employees of the Senate appearing under the heading 'SENATE' in the Legislative Appropriation Act, 1956 (69 Stat. 510; Public Law 242, Eighty-fourth Congress), is amended to read as follows:

" 'No officer or employee whose compensation is disbursed by the Secretary of the Senate shall be paid basic compensation at a rate in excess of $8,880 per annum, or gross compensation at a rate in excess of $17,525 per annum, unless expressly authorized by law.' " [Prior to this amendment "$8,880" and "$17,525" were, respectively, "$8,880" and "$16,300" per annum.] [The paragraph in the Legislative Appropriation Act, 1956, referred to above was repealed by Pub. L. 90-57, § 105(i)(3), July 28, 1967, 81 Stat. 144, eff. Aug. 1, 1967.]

INCREASE IN COMPENSATION OF OFFICERS OF SENATE; LIMITATIONS ON BASIC AND GROSS COMPENSATION—1958

Pub. L. 85-462, § 4(c), (d), June 20, 1958, 72 Stat. 208, provided that:

"(c) Notwithstanding the provision referred to in subsection (d), the rates of gross compensation of each of the elected officers of the Senate (except the presiding officer of the Senate), the Parliamentarian of the Senate, the Legislative Counsel of the Senate, the Senior Counsel in the Office of the Legislative Counsel of the Senate, and the Chief Clerk of the Senate are hereby increased by 10 per centum.

"(d) The paragraph imposing limitations on basic and gross compensation of officers and employees of the Senate appearing under the heading 'SENATE' in the Legislative Appropriation Act, 1956 (69 Stat. 510; Public Law 242, Eighty-fourth Congress), is amended to read as follows:

" 'No officer or employee, whose compensation is disbursed by the Secretary of the Senate shall be paid basic compensation at a rate in excess of $8,880 per annum, or gross compensation at a rate in excess of $16,300 per annum, unless expressly authorized by law.' " [Prior to this amendment "$8,880" and "$16,300" were, respectively, "$8,820" and "$14,800" per annum.] [The paragraph in the Legislative Appropriation Act, 1956, referred to above, was repealed by Pub. L. 90-57, § 105(i) (3), July 28, 1967, 81 Stat. 144, eff. Aug. 1, 1967.]

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 60a-1a of this title.

§ 60a-1a. Rates of compensation disbursed by Secretary of Senate; applicability of Senate pay adjustments by President pro tempore of Senate

No provision of this Act or of any Act enacted after October 1, 1976, which specifies a rate of compensation (including a maximum rate) for any position or employee whose compensation is disbursed by the Secretary of the Senate shall, unless otherwise specifically provided therein, be construed to affect the applicability of section 60a-1 of this title to such rate.

(Pub. L. 94-440, title I, § 107, Oct. 1, 1976, 90 Stat. 1444.)

REFERENCES IN TEXT

This Act, referred to in text, means the Legislative Branch Appropriation Act, 1977, Pub. L. 94-440, Oct. 1, 1976, 90 Stat. 1439. For distribution of such Act in the Code, see Tables volume.

§ 60a-2. House of Representatives pay adjustments; action by Clerk of House of Representatives

(a) Whenever a pay adjustment by the President under section 5305 of title 5 is made effective pursuant to subsection (a)(2), or subsections (c) to (m), inclusive, as the case may be, of such section 5305, or section 3(c) of this Act, then the Clerk of the House of Representatives, in such manner as he considers advisable—

(1) effective on the first day of the month in which such pay adjustment by the President is made effective as described above, shall adjust—

(A) each minimum and maximum rate of pay applicable to any employee or class of employees whose pay is disbursed by the Clerk of the House (other than a maximum rate equal to or greater than the maximum rate then currently being paid under the General Schedule of section 5332 of title 5 as a result of such pay adjustment by the President); and

(B) each monetary limitation on or monetary allowance for pay applicable to any such employee or class of employees, including but not limited to—

(i) the clerk hire allowance for each Member of the House of Representatives and the Resident Commissioner from Puerto Rico; and

(ii) the allowances for additional office personnel in the offices of the Speaker, the majority leader, the minority leader, the majority whip, and the minority whip, of the House of Representatives;

by an amount rounded to the nearest $100 and computed on the basis of a percentage equal or equivalent, insofar as practicable and with such variations as the Clerk considers appropriate, to the percentage of the pay adjustment made by the President;

(2) shall determine, with respect to the employees and classes of employees within the purview of this section whose pay is disbursed by the Clerk, the respective amounts of pay adjustments which are equal or equivalent, insofar as practicable and with such exceptions and modifications as may be necessary to provide for appropriate pay relationships between positions, to corresponding increases in pay, as determined by the Clerk, made by the pay adjustment by the President; and

(3) shall transmit to the appropriate pay-fixing authority concerned in the House of Representatives a copy of his determinations with respect to the pay of those employees whose pay is fixed and adjusted by that authority.

(b) After consideration of the pay determinations transmitted by the Clerk of the House, the pay-fixing authority concerned may adjust, notwithstanding the provisions contained in section 665 of title 31, the rates of pay concerned in such manner as that authority considers appropriate.

(c) Nothing in this section shall impair any authority pursuant to which rates of pay may be fixed by administrative action.

(d) This section shall not be deemed to authorize any adjustment in the rates of pay of employees whose rates of pay are disbursed by the Clerk of the House of Representatives and are fixed and adjusted from time to time as nearly as is consistent with the public interest in accordance with prevailing rates or practices, including employees subject to the House Wage Schedule.

(e) No rate of pay shall be adjusted under this section to an amount in excess of the rate of basic pay of level V of the Executive Schedule contained in section 5316 of title 5.

(Pub. L. 91-656, § 5, Jan. 8, 1971, 84 Stat. 1952; Pub. L. 92-298, § 3(b), May 17, 1972, 86 Stat. 146; Pub. L. 92-392, § 14(b), Aug. 19, 1972, 86 Stat. 575.)

REFERENCES IN TEXT

Section 3(c) of this Act, referred to in subsec. (a), is section 3(c) of Pub. L. 91-656, which is set out as a note under section 5305 of Title 5, Government Organization and Employees.

AMENDMENTS

1972—Subsec. (a)(1). Pub. L. 92-298 and Pub. L. 92-392 made identical substitutions of "effective on the first day of the month in which such pay adjustments by the President" for "effective at the beginning of the first pay period commencing on or after the day on which such pay adjustment by the President".

EFFECTIVE DATE OF 1972 AMENDMENT

Amendment by Pub. L. 92-392 effective on first day of first applicable pay period beginning on or after 90th day after Aug. 19, 1972, see section 15(a) of Pub. L. 92-392, set out as a note under section 5341 of Title 5, Government Organization and Employees.

DIRECTIVE OF THE SPEAKER OF THE UNITED STATES HOUSE OF REPRESENTATIVES IMPLEMENTING THE SALARY COMPARABILITY POLICY IN 1969 FOR OFFICERS AND EMPLOYEES OF THE HOUSE OF REPRESENTATIVES REQUIRED BY SECTION 212 OF THE FEDERAL SALARY ACT OF 1967 [SECTION 5304 NOTE OF TITLE 5]

JUNE 17, 1969

Pursuant to the authority and duty vested in the Speaker of the United States House of Representatives by section 212 of the Federal Salary Act of 1967 (81 Stat. 634; Public Law 90-206; 5 U.S.C. 5304, note) to implement the salary comparability policy set forth in section 5301 of title 5, United States Code, in the year 1969 for personnel of the House of Representatives, the rates of pay of personnel of the House of Representatives whose pay is disbursed by the Clerk

of the House of Representatives are adjusted as follows:

IMPLEMENTATION OF SALARY COMPARABILITY POLICY IN 1969 FOR PERSONNEL OF THE HOUSE OF REPRESENTATIVES

SECTION 1. Subject to sections 216 and 225 of the Federal Salary Act of 1967 (81 Stat. 638, 642; Public Law 90-206; 2 U.S.C. 60e-14, note; 2 U.S.C. 351-361), the per annum gross rate of compensation (basic compensation plus additional compensation authorized by law) of each employee whose compensation—

(1) is disbursed by the Clerk of the House of Representatives, and

(2) is fixed at a rate of basic compensation plus additional compensation authorized by law,

is increased by 10.05 per centum.

SEC. 2. Subject to sections 216 and 225 of the Federal Salary Act of 1967 (81 Stat. 638, 642; Public Law 90-206; 2 U.S.C. 60e-14, note; 2 U.S.C. 351-361), the single per annum gross rate of compensation of each officer or employee, except an officer or employee within the purview of section 3 or 4 of the Directive of the Speaker of the United States House of Representatives of June 11, 1968 (2 U.S.C. 60a), or section 3, 4, or 5 of this directive, whose compensation—

(1) is disbursed by the Clerk of the House of Representatives, and

(2) is fixed at a single per annum gross rate,

is increased by 10.05 per centum.

SEC. 3. In order to preserve and continue the pay relationships existing immediately prior to July 1, 1969, between—

(1) positions on the United States Capitol police force and on the United States Capitol telephone exchange, respectively, the compensation for which is disbursed by the Clerk of the House of Representatives, and

(2) positions on such police force and telephone exchange, respectively, the compensation for which is disbursed by the Secretary of the Senate,

the respective single per annum gross rates of compensation of personnel on such police force and telephone exchange, respectively, whose compensation is disbursed by the Clerk of the House of Representatives are increased, subject to sections 216 and 225 of the Federal Salary Act of 1967 (81 Stat. 638, 642; Public Law 90-206; 2 U.S.C. 60e-14, note; 2 U.S.C. 351-361), by 10.05 per centum, adjusted to the nearest multiple of $219.

SEC. 4. The House Employees Schedule (HS) established pursuant to section 4 of the House Employees Position Classification Act (78 Stat. 1079; Public Law 88-652; 2 U.S.C. 293) is amended to read as follows:

"HOUSE EMPLOYEES SCHEDULE—PER ANNUM RATES

"(Effective July 1, 1969)

"HS Levels	Steps											
	1	2	3	4	5	6	7	8	9	10	11	12
1	$5,236.60	$5,433.05	$5,629.50	$5,825.95	$6,022.40	$6,217.62	$6,415.30	$6,610.52	$6,808.20	$7,003.41	$7,396.31	$7,789.20
2	6,022.40	6,217.62	6,415.30	6,610.52	6,808.20	7,003.41	7,199.86	7,396.31	7,592.76	7,789.20	8,180.89	8,573.78
3	6,938.34	7,167.94	7,396.31	7,625.91	7,854.28	8,083.89	8,312.26	8,541.86	8,771.45	8,999.82	9,459.02	9,915.77
4	7,985.66	8,214.03	8,443.64	8,673.23	8,901.60	9,131.20	9,359.58	9,589.17	9,817.55	10,047.15	10,505.12	10,963.09
5	9,163.13	9,425.88	9,687.40	9,948.93	10,210.45	10,471.97	10,734.72	10,996.24	11,257.76	11,519.29	12,043.57	12,566.61
6	10,471.97	10,734.72	10,996.24	11,257.76	11,419.29	11,780.82	12,043.57	12,305.08	12,566.61	12,828.13	13,352.41	13,875.46
7	11,912.19	12,213.01	12,515.04	12,815.85	13,116.67	13,416.26	13,718.29	14,019.10	14,319.92	14,621.96	15,223.58	15,826.44
8	13,527.14	13,830.18	14,131.98	14,433.79	14,735.59	15,038.64	15,339.21	15,641.02	15,944.06	16,245.86	16,849.48	17,454.33
9	15,277.54	15,619.72	15,963.15	16,304.10	16,647.54	16,989.73	17,311.92	17,675.34	18,017.54	18,358.49	19,044.10	19,729.73
10	17,053.84	17,395.92	17,736.77	18,078.86	18,418.49	18,759.34	19,101.43	19,442.28	19,783.14	20,124.00	20,805.70	21,488.65
11	19,199.21	19,584.23	19,968.03	20,351.81	20,735.60	21,120.63	21,503.18	21,888.20	22,271.99	22,655.77	23,423.34	24,190.92
12	21,515.49	21,930.42	22,344.08	22,758.99	23,172.66	23,587.58	24,001.24	24,414.90	24,829.81	25,244.73	26,073.31	26,900.63
13	24,005.11	24,465.58	24,923.52	25,381.46	25,839.40	26,297.34	26,757.80	27,215.74	27,673.68	28,131.62	29,050.03	29,965.91"

SEC. 5. Subject to sections 216 and 225 of the Federal Salary Act of 1967 (81 Stat. 638, 642; Public Law 90-206; 2 U.S.C. 60e-14 note; 2 U.S.C. 351-361), the single per annum rate of compensation in effect immediately prior to July 1, 1969, of each employee whose compensation—

(1) is disbursed by the Clerk of the House of Representatives,

(2) is fixed at a saved rate, and

(3) is increased by section 214(c) of the Federal Salary Act of 1967 (81 Stat. 636; Public Law 90-206; 2 U.S.C. 293c),

is increased by 10.05 per centum.

SEC. 6. The additional compensation provided by this directive for personnel whose per annum compensation is fixed at a rate of basic compensation plus additional compensation authorized by law shall be considered a part of basic pay for the purposes of subchapter III of chapter 83 of title 5, United States Code, relating to civil service retirement.

SEC. 7. The provisions of this directive shall become effective on July 1, 1969.

JOHN W. MCCORMACK,
Speaker, United States House of Representatives.

DIRECTIVE OF THE SPEAKER OF THE UNITED STATES HOUSE OF REPRESENTATIVES IMPLEMENTING THE SALARY COMPARABILITY POLICY IN 1968 FOR OFFICERS AND EMPLOYEES OF THE HOUSE OF REPRESENTATIVES REQUIRED BY SECTION 212 OF THE FEDERAL SALARY ACT OF 1967 [SECTION 5304 NOTE OF TITLE 5]

JUNE 11, 1968

Pursuant to the authority and duty vested in the Speaker of the United States House of Representatives by section 212 of the Federal Salary Act of 1967 (81 Stat. 634; Public Law 90-206; 5 U.S.C. 5304, note) to implement the salary comparability policy set forth in section 5301 of title 5, United States Code, in the year 1968 for personnel of the House of Representatives, the rates of pay of personnel of the House of Representatives whose pay is disbursed by the Clerk of the House of Representatives are adjusted as follows:

IMPLEMENTATION OF SALARY COMPARABILITY POLICY IN 1968 FOR PERSONNEL OF THE HOUSE OF REPRESENTATIVES

SECTION 1. Subject to sections 216 and 225 of the Federal Salary Act of 1967 (81 Stat. 638, 642; Public Law 90-206; 2 U.S.C. 60e-14, note; 2 U.S.C. 351-361), the per annum gross rate of compensation (basic compensation plus additional compensation authorized by law) of each employee whose compensation—

(1) is disbursed by the Clerk of the House of Representatives, and

(2) is fixed at a rate of basic compensation plus additional compensation authorized by law,

is increased by an amount equal to the percentage increase in such per annum gross rate of compensation of such employee as provided in the following table of increases in compensation:

TABLE OF INCREASES IN PER ANNUM GROSS RATES OF COMPENSATION (BASIC COMPENSATION PLUS ADDITIONAL COMPENSATION AUTHORIZED BY LAW)

If the per annum basic rate of compensation of the employee is—	*The percentage increase in the per annum gross rate of compensation of employee is—*
Not more than $4,000	5.85
Not less than $4,005 but not more than $4,500	6
Not less than $4,505 but not more than $5,000	6.5
Not less than $5,005 but not more than $5,500	7
Not less than $5,505 but not more than $6,000	7.5
Not less than $6,005 but not more than $6,500	8
Not less than $6,505 but not more than $7,000	8.5
Not less than $7,005 but not more than $7,500	9
Not less than $7,505 but not more than $8,000	9.5
Not less than $8,005 but not more than $8,500	10
Not less than $8,505 but not more than $9,000	10.5
Not less than $9,005 but not more than $9,500	11
Not less than $9,505	11.5

SEC. 2. Subject to sections 216 and 225 of the Federal Salary Act of 1967 (81 Stat. 638, 642; Public Law 90-206; 2 U.S.C. 60e-14, note; 2 U.S.C. 351-361), the single per annum gross rate of compensation of each officer or employee, except an officer or employee to whom section 3 or 4 of this directive applies, whose compensation—

(1) is disbursed by the Clerk of the House of Representatives,

(2) is fixed at a single per annum gross rate, and

(3) is increased by section 214(b) of the Federal Salary Act of 1967 (81 Stat. 635; Public Law 90-206; 2 U.S.C. 60e-14(b))

is increased by an amount which is equal to the amount of the increase provided by section 1 of this directive in that per annum gross rate of compensation (basic compensation plus additional compensation provided by law) in effect immediately prior to July 1, 1968, of an employee to whom section 1 applies—

(A) which is equal to, or

(B) if not equal to, is the highest such per annum gross rate of compensation (basic compensation plus additional compensation authorized by law) which is nearest in amount to,

the single per annum gross rate of compensation, in effect immediately prior to such date, of the officer or employee whose compensation is referred to in subparagraph (1), (2), and (3) of this sentence.

SEC. 3. (a) The single per annum gross rate of compensation of the position referred to in House Resolution 904, Eighty-eighth Congress, enacted into permanent law by section 103 of the Legislative Branch Appropriation Act, 1966 (79 Stat. 281; Public Law 89-91), shall continue in effect until the effective date of the first adjustment, following the effective date of this directive, in the per annum rate of compensation of the officers described in the first sentence of section 601(a) of the Legislative Reorganization Act of 1946, as amended (79 Stat. 1120; Public Law 89-301; 2 U.S.C. 31).

(b) On and after the effective date of such first adjustment, the single per annum gross rate of compensation of the position referred to in such House Resolution 904 shall be in an amount which bears the same ratio to the per annum rate of compensation of the officers described in the first sentence of such section 601(a) [section 31 of this title] as changed by such first compensation adjustment therein, or as changed by each compensation adjustment therein following such first compensation adjustment, as then currently applicable, as the per annum gross rate of compensation of such position as in effect immediately prior to the applicable adjustment in the per annum rate of compensation of such officers bears to the per annum rate of compensation of such officers as in effect immediately prior to such applicable adjustment.

(c) Subsections (a) and (b) of this section shall be in effect with respect to the position referred to in such House Resolution 904 only so long as such position is held by the incumbent thereof on the effective date of this directive.

SEC. 4. The single per annum gross rate of compensation of each office or position referred to in—

(1) House Resolution 909, Eighty-ninth Congress, enacted into permanent law by chapter VI of the Supplemental Appropriation Act, 1967 (80 Stat. 1064; Public Law 89-697), or

(2) section 214(e) of the Federal Salary Act of 1967 (81 Stat. 636; Public Law 90-206; 2 U.S.C. 74a-2),

shall be a single per annum gross rate equal to the annual rate of basic pay for Level III of the Executive Schedule in section 5314 of title 5, United States Code.

SEC. 5. In order to preserve and continue the pay relationships existing immediately prior to July 1, 1968, between—

(1) positions on the United States Capitol police force and on the United States Capitol telephone exchange, respectively, the compensation for which is disbursed by the Clerk of the House of Representatives, and

(2) positions on such police force and telephone exchange, respectively, the compensation for which is disbursed by the Secretary of the Senate,

the respective single per annum gross rates of compensation of personnel on such police force and telephone exchange, respectively, whose compensation is disbursed by the Clerk of the House of Representatives are increased, subject to sections 216 and 225 of the Federal Salary Act of 1967 (81 Stat. 638, 642; Public Law 90-206; 2 U.S.C. 60e-14, note; 2 U.S.C. 351-361), by respective amounts equal to the respective amounts of the increases provided in the year 1968 by the President pro tempore of the Senate, under section 212 of the Federal Salary Act of 1967 (81 Stat. 634; Public Law 90-206; 5 U.S.C. 5304, note), in corresponding rates of compensation for personnel on such police force and telephone exchange, respectively, whose compensation is disbursed by the Secretary of the Senate.

SEC. 6. The per annum rate of compensation for each compensation step of each compensation level (HS level) of the House Employees Schedule (HS) under the House Employees Position Classification Act (78 Stat. 1079-1084; Public Law 88-652; 2 U.S.C. 291 and following) is increased by an amount equal to the percentage increase in such per annum rate as provided in the following table of increases in the rates of compensation of such schedule:

TABLE OF INCREASES IN PER ANNUM RATES OF COMPENSATION OF THE HOUSE EMPLOYEES SCHEDULE

If the per annum rate of compensation is for a compensation step in—	*The percentage increase in such per annum rate of compensation is—*
HS level 1, 2, 3, 4, 5, 6, or 7	5.85
HS level 8	6.2
HS level 9	6.5
HS level 10	7
HS level 11	8
HS level 12	9
HS level 13	10

SEC. 7. Subject to sections 216 and 225 of the Federal Salary Act of 1967 (81 Stat. 638, 642; Public Law 90-206; 2 U.S.C. 60e-14 note; 2 U.S.C. 351-361), the single per annum rate of compensation in effect immediately prior to July 1, 1968, of each employee whose compensation—

(1) is disbursed by the Clerk of the House of Representatives,

(2) is fixed on the basis of a saved rate, and

(3) is increased by section 214(c) of the Federal Salary Act of 1967 (81 Stat. 636; Public Law 90-206; 2 U.S.C. 293c), is increased by a percentage which is equal to the percentage provided by section 6 of this directive for increases in the rates of compensation for the compensation steps of that compensation level of the House Employees Schedule in which the position of such employee is placed.

SEC. 8. House Resolution 1015, Ninetieth Congress, adopted January 15, 1968, is amended by striking out "maximum rate authorized by Level 5 of the Executive schedule by Public Law 90-206" and inserting in lieu thereof "annual rate of basic pay for Level V of the Executive Schedule in section 5316 of title 5, United States Code".

SEC. 9. The additional compensation provided by this directive for personnel whose per annum compensation is fixed at a rate of basic compensation plus additional compensation authorized by law shall be considered a part of basic pay for the purposes of subchapter III of chapter 83 of title 5, United States Code, relating to civil service retirement.

SEC. 10. The provisions of this directive shall become effective on July 1, 1968.

JOHN W. MCCORMACK,
Speaker, United States House of Representatives.

ADDITIONAL INCREASE IN COMPENSATION OF ELECTED OFFICERS OF HOUSE—1958

Pub. L. 85-462, § 4(k), June 20, 1958, 72 Stat. 209, provided that: "The rate of gross annual compensation of each of the elected officers of the House of Representatives (except the presiding officer of the House and the Chaplain of the House) is hereby increased by 10 per centum."

ADDITIONAL INCREASE IN COMPENSATION OF ELECTED OFFICERS OF HOUSE AND SENATE—1955

Act June 28, 1955, ch. 189, § 4(c), 69 Stat. 176, provided that: "The rates of basic compensation of each of the elected officers of the Senate and the House of Representatives (not including the presiding officers of the two Houses), the Parliamentarian of the Senate, the Parliamentarian of the House of Representatives, the Legislative Counsel of the Senate, the Legislative Counsel of the House of Representatives, and the Coordinator of Information of the House of Representatives are hereby increased by 7.5 per centum."

ADDITIONAL INCREASE IN COMPENSATION OF ELECTED OFFICERS OF HOUSE AND SENATE—1951

Act Oct. 24, 1951, ch. 554, § 2(e), 65 Stat. 614, provided that: "The rates of basic compensation of each of the elected officers of the Senate and the House of Representatives (not including the presiding officers of the two Houses), the Parliamentarian of the Senate, the Parliamentarian of the House of Representatives, the legislative counsel of the Senate, the legislative counsel of the House of Representatives, and the Coordinator of Information of the House of Representatives are hereby increased by 10 per centum, except that in no case shall any such rate be increased by less than $300 per annum or by more than $800 per annum."

INCREASE IN COMPENSATION OF ELECTED OFFICERS OF HOUSE AND SENATE—1949

Subsec. (d) of section 101 of act Oct. 28, 1949, ch. 783, title I, 63 Stat. 974, provided that: "The rates of basic compensation of each of the elected officers of the Senate and the House of Representatives (not including the presiding officers of the two Houses) are hereby increased by 5 per centum."

INCREASE IN COMPENSATION OF THE CHAPLAIN AND THE COORDINATOR OF INFORMATION OF THE HOUSE

Pub. L. 85-462, § 4(*l*), June 20, 1958, 72 Stat. 209, provided that: "The aggregate rate of the rate of basic annual compensation and the rate of additional annual compensation authorized by law of the Chaplain of the House of Representatives and of the Coordinator of Information of the House of Representatives is hereby increased by 10 per centum."

SENATE AND HOUSE COMMITTEE EMPLOYEES

Senate and House Committee Employees, formerly provided for by this section, are now covered by section 72a of this title. See, also, note set out under section 72a of this title relative to Senate Resolutions and House Reports listing present committee employees.

§§ 60b, 60c. Omitted

CODIFICATION

Section 60b, acts June 20, 1929, ch. 33, § 2, 46 Stat. 38; July 25, 1939, ch. 352, § 3, 53 Stat. 1080, providing that clerk hire should be at the rate of $6,500 per annum and limiting individual salaries to $3,900 per annum, was superseded by former section 60g of this title, and is now covered by section 332 of this title.

Section 60c, R.S. § 55, which related to payment of salaries of chaplains, has been omitted as obsolete and not in accordance with present day practice.

§ 60c-1. Officers and employees paid by Secretary of the Senate; payment of salary; advance payment

The compensation of officers (other than Senators) and employees, whose compensation is disbursed by the Secretary of the Senate, shall be payable on the fifth day of the month following the month in which such compensation accrued, except that—

(1) all such compensation for the month of December shall be payable on the twentieth day of December;

(2) when such fifth or twentieth day falls on Saturday, Sunday, or on a legal holiday (including any holiday on which the banks of the District of Columbia are closed pursuant to law) such compensation shall be payable on the next preceding workday; and

(3) any part of such compensation accrued for any month may, in the discretion of the Secretary of the Senate, be paid prior to the day specified in the preceding provisions of this section.

For accounting and reporting purposes, disbursements made in accordance with this section on the fifth day of a month, or on the next preceding workday if such fifth day falls on Saturday, Sunday, or a legal holiday, shall be considered to have been made on the last day of the preceding month.

(Pub. L. 86-426, § 1, Apr. 20, 1960, 74 Stat. 53; Pub. L. 92-136, § 6, Oct. 11, 1971, 85 Stat. 378.)

AMENDMENTS

1971—Cl. (2). Pub. L. 92-136 added "(including any holiday on which the banks of the District of Columbia are closed pursuant to law)" following "holiday".

EFFECTIVE DATE OF 1971 AMENDMENT

Amendment by Pub. L. 92-136 effective July 1, 1971, see section 9(b) of Pub. L. 92-136, set out as a note under section 60c-2 of this title.

EFFECTIVE DATE

Section 3 of Pub. L. 86-426 provided that: "This joint resolution [adding this section and amending sections 60d to 60e-1 of this title] shall be effective with respect to compensation accruing on or after the first day of the month following the month in which it is enacted [April 1, 1960]."

§ 60c-2. Salary deposit in financial organizations

(a) Written request of employee; designation of financial organization

The Secretary of the Senate shall, upon the written request of any individual whose compensation is disbursed by the Secretary, pay such compensation by sending a check to a fi-

nancial organization designated by that individual and drawn in favor of such organization and by specifying the individual to whose account (including an account providing for the purchase of shares) the payment is to be credited. No reimbursement shall be required for the sending of any such check.

(b) Deposit of aggregate amount in financial organization resulting from multiple designations of the same organization; specification of the individual amounts to be credited

If more than one individual making a request under subsection (a) of this section designates the same financial organization, the Secretary may pay such compensation by sending to the organization a check that is drawn in favor of the organization for the total amount designated by those individuals and by specifying the amount to be credited to the account of each of those individuals.

(c) Full acquittance for the amount due

Payment by the United States of a check, drawn in accordance with this section and properly endorsed, shall constitute a full acquittance for the amount due to the individual making any such request.

(d) Rules and regulations

The Secretary of the Senate is authorized to promulgate rules and regulations to carry out the provisions of this section.

(e) Definition of "financial organization"

For purposes of this section, "financial organization" means any bank, savings bank, savings and loan association or similar institution, or Federal or State chartered credit union.

(Pub. L. 92-136, § 4, Oct. 11, 1971, 85 Stat. 377.)

EFFECTIVE DATE

Section 9(b) of Pub. L. 92-136 provided that: "Sections 4 [enacting this section] and 6 of this Act [amending section 60c-1 of this title] shall become effective as of July 1, 1971."

§ 60c-2a. Banking and financial transactions of Secretary of the Senate

(a) Reimbursement of banks for costs of clearing items for Senate

The Secretary of the Senate is authorized to reimburse any bank which clears items for the United States Senate for the costs incurred therein. Such reimbursements shall be made from the contingent fund of the Senate.

(b) Check cashing regulations for Disbursing Office of Senate

The Secretary of the Senate is authorized to prescribe such regulations as he deems necessary to govern the cashing of personal checks by the Disbursing Office of the Senate.

(c) Amounts withheld from disbursements for employee indebtedness

Whenever an employee whose compensation is disbursed by the Secretary of the Senate becomes indebted to the Senate and such employee fails to pay such indebtedness, the Secretary of the Senate is authorized to withhold the amount of the indebtedness from any amount which is disbursed by him and which is due to, or on behalf of, such employee. Whenever an amount is withheld under this section, the appropriate account shall be credited in an amount equal to the amount so withheld.

(Pub. L. 94-440, title I, § 104, Oct. 1, 1976, 90 Stat. 1443.)

§ 60c-3. Withholding and remittance of State income tax by Secretary of Senate

(a) Agreement by Secretary with appropriate State official; covered individuals

Whenever—

(1) the law of any State provides for the collection of an income tax by imposing upon employers generally the duty of withholding sums from the compensation of employees and remitting such sums to the authorities of such State; and

(2) such duty to withhold is imposed generally with respect to the compensation of employees who are residents of such State;

then the Secretary of the Senate is authorized, in accordance with the provisions of this section to enter into an agreement with the appropriate official of that State to provide for the withholding and remittance of sums for individuals—

(A) whose pay is disbursed by the Secretary; and

(B) who request the Secretary to make such withholdings for remittance to that State.

(b) Number of remittances authorized

Any agreement entered into under subsection (a) of this section shall not require the Secretary to remit such sums more often than once each calendar quarter.

(c) Requests by individuals of Secretary for withholding and remittance; amount of withholding; number and effective date of requests; change of designated State; revocation of requests; rules and regulations

(1) An individual whose pay is disbursed by the Secretary may request the Secretary to withhold sums from his pay for remittance to the appropriate authorities of the State that he designates. Amounts of withholdings shall be made in accordance with those provisions of the law of that State which apply generally to withholding by employers.

(2) An individual may have in effect at any time only one request for withholdings, and he may not have more than two such requests in effect with respect to different States during any one calendar year. The request for withholdings is effective on the first day of the first month commencing after the day on which the request is received in the Disbursing Office of the Senate, except that—

(A) when the Secretary first enters into an agreement with a State, a request for withholdings shall be effective on such date as the Secretary may determine; and

(B) when an individual first receives an appointment, the request shall be effective on the day of appointment, if the individual makes the request at the time of appointment.

(3) An individual may change the State designated by him for the purposes of having withholdings made and request that the withholdings be remitted in accordance with such change, and he may also revoke his request for

withholdings. Any change in the State designated or revocation is effective on the first day of the first month commencing after the day on which the request for change or the revocation is received in the Disbursing Office.

(4) The Secretary is authorized to issue rules and regulations he considers appropriate in carrying out this subsection.

(d) Time or times of agreements by Secretary

The Secretary may enter into agreements under subsection (a) of this section at such time or times as he considers appropriate.

(e) Provisions as not imposing duty, burden, requirement or penalty upon the United States, Senate, or any officer or employee of United States; effect of filing paper, form, or document with Secretary

This section imposes no duty, burden, or requirement upon the United States, the Senate, or any officer or employee of the United States, except as specifically provided in this section. Nothing in this section shall be deemed to consent to the application of any provision of law which has the effect of subjecting the United States, the Senate, or any officer or employee of the United States to any penalty or liability by reason of the provisions of this section. Any paper, form, or document filed with the Secretary under this section is a paper of the Senate within the provisions of rule XXX of the Standing Rules of the Senate.

(f) Definitions

For the purposes of this section, "State" means any of the States of the United States and the District of Columbia.

(Pub. L. 93-371, § 101(2), Aug. 13, 1974, 88 Stat. 427.)

CROSS REFERENCES

Withholding of District of Columbia and State income taxes by Clerk and Sergeant at Arms of the House of Representatives, see section 60e-1a of this title.

Withholding of District of Columbia and State income taxes generally, see sections 5516 and 5517 of Title 5, Government Organization and Employees.

Withholding of State income taxes by Architect of the Capitol, see section 166b-5 of Title 40, Public Buildings, Property, and Works.

§ 60d. Officers and employees paid by Clerk of the House of Representatives; payment of December salary

The Clerk of the House of Representatives is authorized and directed to pay to the officers and employees of the House of Representatives, including the Capitol Police and Office of Legislative Counsel, and employees paid on vouchers under authority of resolutions, their respective salaries for the month of December on the 20th day of that month, each year, except when the 20th of the month falls on Sunday, in which case the said salaries shall be paid on the 19th of December.

(May 21, 1937, ch. 236, § 1, 50 Stat. 199; Apr. 20, 1960, Pub. L. 86-426, § 2(a), 74 Stat. 53.)

AMENDMENTS

1960—Pub. L. 86-426 eliminated provisions which related to officers and employees of the Senate. See section 60c-1 of this title.

EFFECTIVE DATE OF 1960 AMENDMENT

Amendment by Pub. L. 86-426 effective with respect to compensation accruing on or after the first day of the month following April 1960, see section 3 of Pub. L. 86-426, set out as a note under section 60c-1 of this title.

§ 60e. Payment of salary for months other than December by Clerk of House of Representatives to officers and employees

The Clerk of the House of Representatives is authorized and directed to pay to the officers and employees of the House of Representatives, including the Capitol Police and Office of Legislative Counsel, and employees paid on voucher under authority of resolutions, their respective salaries on the first workday preceding the last day of any month (except the month of December) when the last day of such month falls on a Sunday or a legal holiday.

(May 21, 1937, ch. 236, § 2, as added June 2, 1939, ch. 171, 53 Stat. 802, and amended Apr. 20, 1960, Pub. L. 86-426, § 2(b), 74 Stat. 54.)

AMENDMENTS

1960—Pub. L. 86-426 eliminated provisions which related to officers and employees of the Senate. See section 60c-1 of this title.

EFFECTIVE DATE OF 1960 AMENDMENT

Amendment by Pub. L. 86-426 effective with respect to compensation accruing on or after the first day of the month following April 1960, see section 3 of Pub. L. 86-426, set out as a note under section 60c-1 of this title.

§ 60e-1. Payment of salaries in or under House of Representatives when payday falls on Saturday

Whenever the usual day for paying salaries in or under the House of Representatives falls on Saturday, such salaries may be paid on the preceding workday.

(Dec. 28, 1945, ch. 589, title I, § 101, 59 Stat. 633; Apr. 20, 1960, Pub. L. 86-426, § 2(c), 74 Stat. 54.)

AMENDMENTS

1960—Pub. L. 86-426 eliminated provisions which related to the payment of salaries in the Senate. See section 60c-1 of this title.

EFFECTIVE DATE OF 1960 AMENDMENT

Amendment by Pub. L. 86-426 effective with respect to compensation accruing on or after the first day of the month following April 1960, see section 3 of Pub. L. 86-426, set out as a note under section 60c-1 of this title.

INCREASES IN COMPENSATION

Increases in compensation for officers and employees of the Senate and the House of Representatives under authority of the Federal Salary Act of 1967 (Pub. L. 90-206) and the Federal Pay Comparability Act of 1970 (Pub. L. 91-656), see sections 60a-1 and 60a-2 of this title and Salary Directives of the President pro tempore of the Senate and the Speaker of the House of Representatives, set out as notes under those sections.

§ 60e-1a. Withholding of State income tax by Clerk and Sergeant at Arms of the House

(a) Agreement with proper State official; covered individuals

Until otherwise provided by law, the Clerk of the House of Representatives (hereinafter in

this section and section 60e-1b of this title referred to as the "Clerk") and the Sergeant at Arms of the House of Representatives (hereinafter in this section and section 60e-1b of this title referred to as the "Sergeant at Arms") shall, in accordance with the provisions of subsections (b), (c), and (d) of this section enter into an agreement with any State, at the request for agreement from the proper State official. The agreement shall provide that—

(1) the Clerk, in the case of employees whose compensation is disbursed by the Clerk; and

(2) the Sergeant at Arms, in the case of Members of the House of Representatives;

shall withhold State income tax in the case of each Member and employee who is subject to such income tax and who voluntarily requests such withholding.

(b) Number of remittances authorized

Any agreement entered into under subsection (a) of this section shall not require the Clerk or the Sergeant at Arms to remit sums withheld pursuant to any such agreement more often than once each calendar quarter.

(c) Acceptance or disapproval of proposed agreement by Committee on House Administration

(1) The Clerk and the Sergeant at Arms shall, before entering into any agreement under subsection (a) of this section, transmit a statement with respect to the proposed agreement to the Committee on House Administration of the House of Representatives (hereinafter in this section and section 60e-1b of this title referred to as the "committee"). Such statement shall set forth a detailed description of the proposed agreement, together with any other information which the committee may require.

(2) If the committee does not disapprove, through appropriate action, any proposed agreement transmitted to the committee under paragraph (1) no later than ten legislative days after receiving such proposed agreement, then the Clerk or the Sergeant at Arms, as the case may be, may enter into such proposed agreement. The Clerk or the Sergeant at Arms, as the case may be, may not enter into any proposed agreement if such proposed agreement is disapproved by the committee under this paragraph.

(d) Number and effective date of requests for withholding; change of designated State; revocation of request

(1) A Member or employee may have in effect at any time only one request for withholding under subsection (a) of this section, and such Member or employee may not have more than two such requests in effect with respect to different States during any one calendar year. The request for withholding is effective on the first day of the month in which the request is processed by the Clerk or the Sergeant at Arms, but in no event later than on the first day of the first month beginning after the day on which such request is received by the Clerk or the Sergeant at Arms, except that—

(A) when the Clerk or the Sergeant at Arms first enters into an agreement with a State under subsection (a) of this section, a request for withholding shall be effective on such date as the Clerk or the Sergeant at Arms may determine;

(B) when an individual first receives an appointment as an employee, the request shall be effective on the day of appointment, if the individual makes the request at the time of appointment; and

(C) when an individual first becomes a Member, the request shall be effective on the day such individual takes the oath of office as a Member, if the individual makes the request at such time.

(2) A Member or employee may change the State designated by such Member or employee for purposes of having withholdings made, and may request that the withholdings be remitted in accordance with such change. A Member or employee also may revoke any request of such Member or employee for withholding. Any change in the State designated or revocation is effective on the first day of the month in which the request or the revocation is processed by the Clerk or the Sergeant at Arms, but in no event later than on the first day of the first month beginning after the day on which such request or revocation is received by the Clerk or the Sergeant at Arms.

(e) Provisions as not imposing duty, burden, requirement or penalty upon the United States, House, or any officer or employee of United States; effect of filing paper, form, or document with Clerk or Sergeant at Arms

This section and section 60e-1b of this title impose no duty, burden, or requirement upon the United States, the House of Representatives, or any officer or employee of the United States, except as specifically provided in this section and section 60e-1b of this title. Nothing in this section and section 60e-1b of this title shall be deemed to consent to the application of any provision of law which has the effect of subjecting the United States, the House of Representatives, or any officer or employee of the United States to any penalty or liability by reason of the provisions of this section and section 60e-1b of this title. Any paper, form, document, or any other item filed with, or submitted to, the Clerk or the Sergeant at Arms under this section and section 60e-1b of this title is considered to be a paper of the House of Representatives within the provisions of the Rules of the House of Representatives.

(Pub. L. 94-440, title II, § 101, Oct. 1, 1976, 90 Stat. 1448).

CODIFICATION

Section is based on section 1 of House Resolution No. 732, Ninety-fourth Congress, Nov. 4, 1975, which was enacted into permanent law by Pub. L. 94-440, title II, § 101, Oct. 1, 1976, 90 Stat. 1448.

CROSS REFERENCES

Withholding of District of Columbia and State income taxes by Secretary of the Senate, see section 60c-3 of this title.

Withholding of District of Columbia and State income taxes generally, see sections 5516 and 5517 of Title 5, Government Organization and Employees.

Withholding of State income taxes by Architect of the Capitol, see section 166b-5 of Title 40, Public Buildings, Property, and Works.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 60e-1b of this title.

§ 60e-1b. State income tax withholding; definitions

For purposes of section 60e-1a of this title and this section—

(1) the term "State" means any of the several States, the District of Columbia, the Commonwealth of Puerto Rico, or any other territory or possession of the United States;

(2) the term "Member" means a Member of the House of Representatives, the Delegates from the District of Columbia, Guam, and the Virgin Islands, and the Resident Commissioner from Puerto Rico; and

(3) the term "legislative days" does not include any calendar day on which the House of Representatives is not in session.

(Pub. L. 94-440, title II, § 101, Oct. 1, 1976, 90 Stat. 1448.)

CODIFICATION

Section is based on section 2 of House Resolution No. 732, Ninety-fourth Congress, Nov. 4, 1975, which was enacted into permanent law by Pub. L. 94-440, title II, § 101, Oct. 1, 1976, 90 Stat. 1448.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 60e-1a of this title.

§ 60e-2. Coverage of officers and employees of legislative branch under Federal pay provisions

(a) Subject to the exemptions specified in subsection (b) of this section, title V of this Act shall apply to officers and employees in or under the legislative branch of the Government whose compensation is not fixed in accordance with chapter 51 and subchapter III of chapter 53 of title 5, and to the official reporters of proceedings and debates of the Senate and their employees.

(b) This Act shall not apply to elected officials. As used in this subsection the term "elected officials" shall not include officers elected by the Senate or House of Representatives who are not members of either body.

(June 30, 1945, ch. 212, title I, §§ 101(c), 102(a), 59 Stat. 295, 296; Oct. 28, 1949, ch. 782, title XI, § 1106(a), 63 Stat. 972.)

REFERENCES IN TEXT

Title V of this Act, referred to in subsec. (a), is title V of the Federal Employees Pay Act of 1945, act June 30, 1945, ch. 212, 59 Stat. 301. For classification of this Act to the Code, see Tables volume.

This Act, referred to in subsec. (b), means the Federal Employees Pay Act of 1945, act June 30, 1945, c. 212, 59 Stat. 295. For classification of this Act in the Code, see Tables volume.

CODIFICATION

Subsection (a) of this section is from section 101(c) of act June 30, 1945. Subsection (b) of this section is based on part of section 102(a) of act June 30, 1945.

In subsec. (a), "chapter 51 and subchapter III of chapter 53 of title 5" was substituted for "the Classification Act of 1949" on authority of sec. 7(b) of Pub. L. 89-554, Sept. 6, 1966, 80 Stat. 631, the first section of which enacted Title 5, Government Organization and Employees.

Section was formerly classified to sections 901(c) and 902(a) of Title 5 prior to the general revision and enactment of Title 5 by Pub. L. 89-554, § 1, Sept. 6, 1966, 80 Stat. 378.

AMENDMENTS

1949—Act Oct. 28, 1949, struck out "Classification Act of 1923" and inserted in lieu thereof "Classification Act of 1949".

REPEALS

Act Oct. 28, 1949, ch. 782, title XI, § 1106(a), 63 Stat. 972, set out in the credit of this section, was repealed (subject to a savings clause) by Pub. L. 89-554, Sept. 6, 1966, § 8, 80 Stat. 632, 655.

INCREASES IN COMPENSATION

Increases in compensation for officers and employees of the Senate and the House of Representatives under authority of the Federal Salary Act of 1967 (Pub. L. 90-206) and the Federal Pay Comparability Act of 1970 (Pub. L. 91-656), see sections 60a-1 and 60a-2 of this title and Salary Directives of the President pro tempore of the Senate and the Speaker of the House of Representatives, set out as notes under those sections.

§ 60e-2a. Exemption of officers and employees of Architect of Capitol from certain Federal pay provisions

The classes of employees whose compensation is authorized by section 3 of the Legislative Pay Act of 1929, as amended (46 Stat. 38; 55 Stat. 615), to be fixed by the Architect of the Capitol without regard to the Classification Act of 1923, as amended, are authorized to be compensated without regard to chapter 51 and subchapter III of chapter 53 of title 5.

(Oct. 28, 1949, ch. 782, title II, § 204(a), 63 Stat. 957.)

REFERENCES IN TEXT

Section 3 of the Legislative Pay Act of 1929, as amended (40 Stat. 38; 55 Stat. 615), referred to in text, which was an amendment of the Classification Act of 1923 and which was classified to former section 662 of Title 5, Executive Departments and Government Officers and Employees, was repealed by section 1202 of the Classification Act of 1949, 63 Stat. 972.

The Classification Act of 1923, as amended, referred to in text, which was classified to former section 661 et seq. of such Title 5, was repealed by section 1202 of the Classification Act of 1949.

CODIFICATION

Section is comprised of section 204(a) of act Oct. 28, 1949. Subsections (b) and (c) of such section were repealed by Pub. L. 89-554, § 8, Sept. 6, 1966, 80 Stat. 655, and are now covered by sections 5102(d) and 5103 of Title 5, Government Organization and Employees.

Section was formerly classified to section 1084(a) of Title 5 prior to the general revision and enactment of Title 5 by Pub. L. 89-554, § 1, Sept. 6, 1966, 80 Stat. 378.

"Chapter 51 and subchapter III of chapter 53 of title 5" was substituted for "this Act", referring to the Classification Act of 1949, on authority of section 7(b) of Pub. L. 89-554, Sept. 6, 1966, 80 Stat. 631, section 1 of which enacted Title 5.

INCREASES IN COMPENSATION

Increases in compensation for officers and employees of the Senate and the House of Representatives under authority of the Federal Salary Act of 1967 (Pub. L. 90-206) and the Federal Pay Comparability Act of 1970 (Pub. L. 91-656), see sections 60a-1 and 60a-2 of this title and Salary Directives of the President pro tempore of the Senate and the Speaker of the House of Representatives, set out as notes under those sections.

§ 60e-2b. Overtime compensation for certain employees of the Office of the Architect of the Capitol

For overtime pay purposes, per diem and per hour employees under the Office of the Architect of the Capitol not subject to chapter 51 and subchapter III of chapter 53 of title 5, shall be regarded as subject to the provisions of sections 5544(a) and 6102 of title 5, and sections 60e-3 and 60e-4 of this title shall not be applicable to such employees.

(June 30, 1945, ch. 212, title V, § 503, 59 Stat. 301; Oct. 28, 1949, ch. 782, title XI, § 1106(a), 63 Stat. 972.)

REFERENCE IN TEXT

Section 6102 of title 5, referred to in text, was repealed by Pub. L. 92-392, § 7(a), Aug. 19, 1972, 86 Stat. 573, and is now covered by section 6101(a)(1) of title 5, Government Organization and Employees.

CODIFICATION

Section was formerly classified to section 933 of Title 5 prior to the general revision and enactment of Title 5, Government Organization and Employees, by Pub. L. 89-554, § 1, Sept. 6, 1966, 80 Stat. 378.

"Chapter 51 and subchapter III of chapter 53 of title 5" was substituted for "the Classification Act of 1949, as amended", and "sections 5544(a) and 6102 of title 5" was substituted for "section 23 of the Act of March 28, 1934 (U.S.C., 1940 edition, title 5, sec. 673c)", on authority of section 7(b) of Pub. L. 89-554, Sept. 6, 1966, 80 Stat. 631, section 1 of which enacted Title 5.

AMENDMENTS

1949—Act Oct. 28, 1949, struck out "Classification Act of 1923" and inserted in lieu thereof "Classification Act of 1949".

REPEALS

Act Oct. 28, 1949, ch. 782, title XI, § 1106(a), 63 Stat. 972, set out in the credit of this section, was repealed (subject to a savings clause) by Pub. L. 89-554, Sept. 6, 1966, § 8, 80 Stat. 632, 655.

INCREASES IN COMPENSATION

Increases in compensation for officers and employees of the Senate and the House of Representatives under authority of the Federal Salary Act of 1967 (Pub. L. 90-206) and the Federal Pay Comparability Act of 1970 (Pub. L. 91-656), see sections 60a-1 and 60a-2 of this title and Salary Directives of the President pro tempore of the Senate and the Speaker of the House of Representatives, set out as notes under those sections.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 60e-3 of this title.

§ 60e-3. Legislative branch employees; increases in basic compensation rates

Except as provided in section 60e-2b of this title, each officer and employee in or under the legislative branch to whom this title applies shall be paid additional compensation computed as follows: 20 per centum of that part of his rate of basic compensation which is not in excess of $1,200 per annum, plus 10 per centum of that part of such rate which is in excess of $1,200 per annum but not in excess of $4,600 per annum, plus 5 per centum of that part of such rate which is in excess of $4,600 per annum, plus (A) 14 per centum of his rate of compensation (including the additions thereto resulting from the application of the foregoing percentages), or (B) $250 per annum, whichever is the greater, except that such rate of compensation shall not be increased by more than 25 per centum. The additional compensation provided by this section and section 60e-4 of this title shall be considered a part of the basic compensation of any such officer or employee for the purposes of subchapter III of chapter 83 of title 5. The additional compensation provided for by this section and section 60e-4 of this title shall not be taken into account in determining whether any amount expended for clerk hire, or the compensation paid to an officer or employee, is within any limit now or hereafter prescribed by law.

(June 30, 1945, ch. 212, title V, § 501, 59 Stat. 301; May 24, 1946, ch. 270, § 5(a), (b), 60 Stat. 217; June 23, 1949, ch. 238, § 5, 63 Stat. 265.)

REFERENCES IN TEXT

"This title", referred to in text, is title V of the Federal Employees Pay Act of 1945, act June 30, 1945, ch. 212, 59 Stat. 301. For classification of this Act to the Code, see Tables volume.

CODIFICATION

Section was formerly classified to section 931 of Title 5 prior to the general revision and enactment of Title 5, Government Organization and Employees, by Pub. L. 89-554, § 1, Sept. 6, 1966, 80 Stat. 378.

"Subchapter III of chapter 83 of title 5", referred to in text, was substituted for "the Civil Service Retirement Act of May 29, 1930, as amended" on authority of section 7(b) of Pub. L. 89-554, 80 Stat. 631, section 1 of which enacted Title 5.

AMENDMENTS

1949—Act June 23, 1949 inserted "or hereafter" following "now" in last sentence.

1946—Act May 24, 1946, added ", plus (A) 14 per centum of his rate of compensation (including the additions thereto resulting from the application of the foregoing percentages), or (B) $250 per annum, whichever is the greater, except that such rate of compensation shall not be increased by more than 25 per centum" to first sentence and inserted "and section 60e-4 of this title" in second sentence.

INCREASES IN COMPENSATION

Increases in compensation for officers and employees of the Senate and the House of Representatives under authority of the Federal Salary Act of 1967 (Pub. L. 90-206) and the Federal Pay Comparability Act of 1970 (Pub. L. 91-656), see sections 60a-1 and 60a-2 of this title and Salary Directives of the President pro tempore of the Senate and the Speaker of the House of Representatives, set out as notes under those sections.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 60e-2, 60e-2b, 60e-4, 60e-5, 60e-6, 60e-7, 60e-8, 60e-9, 60e-10, 60e-11, 60e-12, 60e-13, 60e-14 of this title.

§ 60e-4. Additional increase in compensation of legislative branch employees

Each officer and employee in or under the legislative branch entitled to the benefits of section 60e-3 of this title shall be paid additional compensation at the rate of 10 per centum of the aggregate of the rate of his basic compensation and the rate of additional compensation received by him under said section.

(June 30, 1945, ch. 212, title V, § 502, 59 Stat. 301; May 24, 1946, ch. 270, § 5(c), 60 Stat. 217.)

CODIFICATION

Section was formerly classified to section 932 of Title 5 prior to the general revision and enactment of Title 5, Government Organization and Employees, by Pub. L. 89-554, § 1, Sept. 6, 1966, 80 Stat. 378.

AMENDMENTS

1946—Act May 24, 1946, struck out "During the period beginning on July 1, 1945, and ending on June 30, 1947" preceding "Each officer", and struck out "or (b) the rate of $2,900 per annum, whichever is smaller," following "said section".

INCREASES IN COMPENSATION

Increases in compensation for officers and employees of the Senate and the House of Representatives under authority of the Federal Salary Act of 1967 (Pub. L. 90-206) and the Federal Pay Comparability Act of 1970 (Pub. L. 91-656), see sections 60a-1 and 60a-2 of this title and Salary Directives of the President pro tempore of the Senate and the Speaker of the House of Representatives, set out as notes under those sections.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 60e-2, 60e-2b, 60e-3, 60e-5, 60e-6, 60e-7, 60e-8, 60e-9, 60e-10, 60e-11, 60e-12, 60e-13, 60e-14 of this title.

§ 60e-4a. Additional increase in compensation of federal and District of Columbia employees

Except as provided in section 303, each officer and employee of the Federal Government, and each officer and employee of the District of Columbia municipal government, whose rate of compensation is increased by sections 2, 3, 4, 5, or 6 of the Federal Employees Pay Act of 1946 shall receive additional compensation at the rate of $330 per annum: *Provided*, That any employee paid on an hourly or part-time basis shall receive additional compensation at the rate of 20 cents per hour.

(July 3, 1948, ch. 830, title III, § 301, 62 Stat. 1267.)

REFERENCES IN TEXT

Section 303, referred to in text, means section 303 of act July 3, 1948, ch. 830, 62 Stat. 1268. Section 303(a) amended former section 943(b) of Title 5, which was repealed and reenacted as section 5547 of Title 5, Government Organization and Employees, by Pub. L. 89-554, Sept. 6, 1966, 80 Stat. 378. Section 303(b) and (c), which was classified to former sections 943a and 957 of Title 5, was repealed (and not reenacted) by sec. 8(a) of Pub. L. 89-554, 80 Stat. 655.

Sections 2, 3, 4, 5, or 6 of the Federal Employees Pay Act of 1946, referred to in the text, means sections 2, 3, 4, 5, or 6 of act May 24, 1946, ch. 270, 60 Stat. 217. See sections 60e-3 and 60e-4 of this title, and section 604 of Title 28, Judiciary and Judicial Procedure.

CODIFICATION

Section was formerly classified to section 955 of Title 5 prior to the general revision and enactment of Title 5, Government Organization and Employees, by Pub. L. 89-554, § 1, Sept. 6, 1966, 80 Stat. 378.

INCREASES IN COMPENSATION

Increases in compensation for officers and employees of the Senate and the House of Representatives under authority of the Federal Salary Act of 1967 (Pub. L. 90-206) and the Federal Pay Comparability Act of 1970 (Pub. L. 91-656), see sections 60a-1 and 60a-2 of this title and Salary Directives of the President pro tempore of the Senate and the Speaker of the House of Representatives, set out as notes under those sections.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 60e-5, 60e-6, 60e-7 of this title.

§ 60e-5. Additional increase in compensation and limitation on annual compensation of legislative branch employees

(a) Each officer or employee in or under the legislative branch of the Government whose rate of compensation is increased by sections 60e-3 and 60e-4 of this title shall be paid additional compensation at the rate of 5 per centum of the aggregate rate of his basic compensation and the rate of the additional compensation received by him under sections 60e-3 and 60e-4 of this title, and section 60e-4a of this title.

(b) The provisions of section 603(b) of the Federal Employees Pay Act of 1945, as amended, section 7(b) of the Federal Employees Pay Act of 1946, as amended, and section 303(c) of the Postal Rate Revision and Federal Employees Salary Act of 1948 shall not apply to officers and employees subject to the provisions of this section or to employees in the offices of Senators, but (except as provided in subsection (d)) no such officer or employee shall, by reason of any provision of such Acts or of this section be paid with respect to any pay period basic compensation, or basic compensation plus additional compensation, at a rate in excess of $10,846 per annum.

(Oct. 28, 1949, ch. 783, title I, § 101(a), (b), 63 Stat. 974; June 28, 1955, ch. 189, § 4(e)(1), 69 Stat. 177.)

REFERENCES IN TEXT

Section 603(b) of the Federal Employees Pay Act of 1945 [59 Stat. 302], as amended, referred to in subsec. (b), which was classified to former section 943(b) of Title 5, was repealed and reenacted as section 5547 of Title 5, Government Organization and Employees, by Pub. L. 89-554, Sept. 6, 1966, 80 Stat. 378.

Section 7(b) of the Federal Employees Pay Act of 1946 [60 Stat. 218], as amended, which was classified to former section 943a of Title 5, was repealed (and not reenacted) by sec. 8(a) of Pub. L. 89-554, Sept. 6, 1966, 80 Stat. 653.

Section 303(c) of the Postal Rate Revision and Federal Employees Salary Act of 1948 [62 Stat. 1268], which was classified to former section 957 of Title 5, was repealed (and not reenacted) by sec. 8(a) of Pub. L. 89-554, Sept. 6, 1966, 80 Stat. 655.

Subsection (d), referred to in subsec. (b), is subsec. (d) of section 101 of act Oct. 28, 1949, ch. 783, title I, 63 Stat. 974, which is set out as a note under section 60a of this title.

CODIFICATION

Section is comprised of subsections (a) and (b) of section 101 of act Oct. 28, 1949.

Section was formerly classified to section 932a of Title 5 prior to the general revision and enactment of Title 5, Government Organization and Employees, by Pub. L. 89-554, § 1, Sept. 6, 1966, 80 Stat. 378.

AMENDMENTS

1955—Subsec. (a). Act June 28, 1955, eliminated "(other than an employee in the office of a Senator)" which followed "Government".

INCREASES IN COMPENSATION

Increases in compensation for officers and employees of the Senate and the House of Representatives under authority of the Federal Salary Act of 1967 (Pub. L. 90-206) and the Federal Pay Comparability

Act of 1970 (Pub. L. 91-656), see sections 60a-1 and 60a-2 of this title and Salary Directives of the President pro tempore of the Senate and the Speaker of the House of Representatives, set out as notes under those sections.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 60e-6, 60e-7 of this title.

§ 60e-6. Additional increase in compensation and limitation on annual compensation of legislative branch employees

(a) Each officer and employee in or under the legislative branch of the Government whose rate of compensation is increased by sections 60e-3 and 60e-4 of this title shall be paid additional compensation at the rate of 10 per centum of the aggregate rate of his basic compensation and the rate of the additional compensation received by him under said sections, section 60e-4a of this title, and section 60e-5 of this title, except that (1) no such officer or employee shall be paid additional compensation at a rate less than $300 per annum or in excess of $800 per annum, and (2) employees paid on an hourly or part-time basis shall be paid additional compensation at the rate of 20 cents per hour.

(b) The provisions of section 603(b) of the Federal Employees Pay Act of 1945, as amended, section 7(b) of the Federal Employees Pay Act of 1946, as amended, section 303(c) of the Postal Rate Revision and Federal Employees Salary Act of 1948, and the provisions of section 60e-5(b) of this title, shall not apply to officers or employees subject to the provisions of subsection (a) of this section or to employees in the offices of Senators, but no such officer or employee, or any other officer or employee of the Senate or House of Representatives, shall be paid with respect to any pay period basic compensation or basic compensation plus additional compensation at a rate in excess of the highest per annum rate of compensation paid under authority of chapter 51 and subchapter III of chapter 53 of title 5, unless expressly authorized by law.

(c) The provisions of subsection (a) of this section, and the provisions of law referred to in such subsection, shall not apply to employees whose compensation is paid from the appropriation contained in the paragraph designated "Folding documents" under the heading "Contingent expenses of the Senate" in the Legislative Branch Appropriation Act.

(Oct. 24, 1951, ch. 554, § 2 (a, b, d), 65 Stat. 613; June 28, 1955, ch. 189, § 4(b), (e)(1), 69 Stat. 176, 177.)

REFERENCES IN TEXT

For status of provisions of statute referred to in subsec. (b), see Reference in Text note under section 60e-5 of this title.

The Legislative Branch Appropriation Act, referred to in subsec. (c), is the act appropriating money for the operation of Congress each fiscal year. For an enumeration of such appropriation acts, see note under section 60a of this title.

CODIFICATION

Section comprises subsecs. (a), (b) and (d) of section 2 of act Oct. 24, 1951, subsec. (c) of this section constituting subsec. (d) of such section 2. Subsecs. (c)(2) and (e) of such section 2 are classified as follows: subsec. (c)(2), to former section 60f of this title; and subsec. (e), as a note under section 60a-2 of this title.

Section was formerly classified to section 932b of Title 5 prior to the general revision and enactment of Title 5, Government Organization and Employees, by Pub. L. 89-554, § 1, Sept. 6, 1966, 80 Stat. 378.

In subsec. (b), "chapter 51 and subchapter III of chapter 53 of title 5" was substituted for "the Classification Act of 1949, as amended" on authority of sec. 7(b) of Pub. L. 89-554, Sept. 6, 1966, 80 Stat. 631, the first section of which enacted Title 5.

AMENDMENTS

1955—Subsec. (a). Act June 28, 1955, § 4(e)(1), eliminated "(other than an employee in the office of a Senator)" which followed "Government".

Subsec. (b). Act June 28, 1955, § 4(b), removed the limitation of $11,646 per annum as the maximum aggregate rate of compensation.

INCREASES IN COMPENSATION

Increases in compensation for officers and employees of the Senate and the House of Representatives under authority of the Federal Salary Act of 1967 (Pub. L. 90-206) and the Federal Pay Comparability Act of 1970 (Pub. L. 91-656), see sections 60a-1 and 60a-2 of this title and Salary Directives of the President pro tempore of the Senate and the Speaker of the House of Representatives, set out as notes under those sections.

§ 60e-7. Additional increase in compensation of legislative branch employees

(a) Each officer and employee in or under the legislative branch of the Government whose rate of compensation is increased by sections 60e-3 and 60e-4 of this title shall be paid additional compensation at the rate of 7.5 per centum of the aggregate rate of his rate of basic compensation and the rate of the additional compensation received by him under said sections, section 60e-4a of this title, section 60e-5 of this title, the Act of October 24, 1951 (Public Law 201, Eighty-second Congress), and any other provision of law.

(b)(1) The provisions of subsection (a) of this section shall not apply to employees whose compensation is paid from the appropriation contained in the paragraph designated "Folding documents" under the heading "CONTINGENT EXPENSES OF THE SENATE" in the Legislative Appropriation Act, 1955, or in any subsequent appropriation act, but the limitations contained in such paragraph are increased by 7.5 per centum.

(2) Repealed. June 27, 1956, ch. 453, § 101, 70 Stat. 363.

(c) The official reporters of proceedings and debates of the Senate and their employees shall be considered to be officers or employees in or under the legislative branch of the Government within the meaning of subsection (a) of this section and the provisions of law referred to in such subsection.

(June 28, 1955, ch. 189, § 4(a), (e)(1), (g)-(i), 69 Stat. 176-178; June 27, 1956, ch. 453, § 101, 70 Stat. 363.)

REFERENCES IN TEXT

The Act of Oct. 24, 1951, referred to in subsec. (a), is act Oct. 24, 1951, ch. 554, 65 Stat. 612. For classification of this Act to the Code, see Tables volume.

The Legislative Appropriations Act, 1955, referred to in subsec. (b)(1), is act July 2, 1955, ch. 455, title I, 68 Stat. 396.

CODIFICATION

Section is comprised of sections 4(a), (e)(1), (g) and (h) of act June 28, 1955, subsecs. (b) and (c) of this section constituting subsecs. (g) and (h) of such section 4. Subsecs. (b), (c), (d), (e)(1), (e)(2), (e)(3), (f), (i) and (j) of such section 4 are now classified as follows: subsec. (b) to section 60e-6 of this title; subsec. (c) as a note under section 60a-2 of this title; subsec. (e)(1) to sections 60e-5 and 60e-6 of this title, and subsec. (a) of this section; subsec. (i) was repealed by Pub. L. 89-554, § 8, Sept. 6, 1966, 80 Stat. 658, and is now covered by section 8331 of Title 5, Government Organization and Employees; and subsec. (j) now set out as note under this section.

Act June 28, 1955, § 4(e)(1), amended subsec. (a) of this section, which was added by section 4(a) of said Act, to strike out "(other than an employee in the office of a Senator)" which followed "Government".

Section was formerly classified to section 932c(a) to (c) of Title 5 prior to the general revision and enactment of Title 5, Government Organization and Employees, by Pub. L. 89-554, § 1, Sept. 6, 1966, 80 Stat. 378.

AMENDMENTS

1956—Subsec. (b)(2). Act June 27, 1956, repealed subsec. (b)(2) which increased the limitation in the paragraph designated "Folding documents" under the heading "Contingent Expenses of the House" in the Legislative Appropriation Act, 1955, or in any subsequent appropriation act.

EFFECTIVE DATE OF 1956 AMENDMENT

Section 101 of act June 27, 1956 provided in part that the amendment of this section by such act shall be effective July 1, 1956.

COMPENSATION PRIOR TO JULY 1, 1955

Section 4(j) of act June 28, 1955, provided that: "Except as provided in subsection (d)(3)(C) of this section, no officer or employee shall be paid increased or additional compensation under this section for any period prior to July 1, 1955, at a rate in excess of 7.5 per centum of the aggregate rate of his basic compensation and additional compensation under the Acts referred to in subsection (a) [subsec. (a) of this section], computed without regard to the amendment made by subsection (b) [amending subsec. (b) of section 60e-6 of this title]."

INCREASES IN COMPENSATION

Increases in compensation for officers and employees of the Senate and the House of Representatives under authority of the Federal Salary Act of 1967 (Pub. L. 90-206) and the Federal Pay Comparability Act of 1970 (Pub. L. 91-656), see sections 60a-1 and 60a-2 of this title and Salary Directives of the President pro tempore of the Senate and the Speaker of the House of Representatives, set out as notes under those sections.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in title 5 section 8331.

§ 60e-8. Additional increase in compensation of legislative branch employees

(a) Each officer and employee in or under the legislative branch of the Government whose rate of compensation is increased by sections 60e-3 and 60e-4 of this title shall be paid additional compensation at the rate of 10 per centum of his gross rate of compensation (basic compensation plus additional compensation authorized by law).

(b) The provisions of subsection (a) of this section shall not apply to employees whose compensation is paid from the appropriation contained in the paragraph designated "Folding documents" under the heading "CONTINGENT EXPENSES OF THE SENATE" in the Legislative Branch Appropriation Act, 1958, or in any subsequent appropriation Act, but the limitation contained in such paragraph is increased by the amount necessary to provide increases corresponding to those provided by subsection (a) of this section.

(c) The official reporters of proceedings and debates of the Senate and their employees shall be considered to be officers or employees in or under the legislative branch of the Government within the meaning of subsection (a) of this section.

(d) Each employee in the legislative branch of the Government whose compensation—

(1) is disbursed by the Clerk of the House of Representatives,

(2) is not increased by any other provision of this Act, and

(3) is fixed at a gross aggregate rate per annum,

shall receive additional compensation at the rate of 10 per centum of the rate of his existing gross annual compensation.

(Pub. L. 85-462, § 4(a), (e), (f), (r), June 20, 1958, 72 Stat. 207-209.)

REFERENCES IN TEXT

The Legislative Branch Appropriation Act, 1957, referred to in subsec. (b), is Pub. L. 85-75, July 1, 1957, 71 Stat. 244.

This Act, referred to in subsec. (d), means Pub. L. 85-462. For classification of this Act to the Code, see Tables volume.

CODIFICATION

Section is comprised of subsecs. (a), (e), (f), and (r) of section 4 of Pub. L. 85-462. Subsecs. (b) and (c) of this section constitute subsecs. (e) and (f) of such section 4 and subsec. (d) of this section constitutes subsec. (r) of such section 4 of Pub. L. 85-462. Subsecs. (c), (d), (g) to (q), (s), and (t) of section 4 of Pub. L. 85-462 are classified as follows: subsecs. (c), (d), (k) and (l) as notes under section 60a-1 and 60a-2 of this title; subsec. (g) was repealed by Pub. L. 89-554, § 8, Sept. 6, 1966, 80 Stat. 659 and is now covered by section 8331 of Title 5, Government Organization and Employees; subsec. (h) as a note under section 72a of this title; subsec. (i) was repealed by Pub. L. 89-554, § 8, Sept. 6, 1966, 80 Stat. 659; subsecs. (j) and (t) as section 166b-2 of Title 40, Public Buildings, Property, and Works; subsec. (m) as a note under section 273 of this title; subsec. (n) as a note under section 74a of this title; subsec. (o) to section 72a(e) of this title; subsec. (s) as a note under section 61b of this title; and subsecs. (p) and (q) of section 4 of Pub. L. 85-462 were not classified to this Code.

Section was formerly classified to section 932d(a) to (c) and (f) of Title 5 prior to the general revision and enactment of Title 5, Government Organization and Employees, by Pub. L. 89-554, § 1, Sept. 6, 1966, 80 Stat. 378.

INCREASES IN COMPENSATION

Increases in compensation for officers and employees of the Senate and the House of Representatives under authority of the Federal Salary Act of 1967 (Pub. L. 90-206) and the Federal Pay Comparability Act of 1970 (Pub. L. 91-656), see sections 60a-1 and 60a-2 of this title and Salary Directives of the President pro tempore of the Senate and the Speaker of

the House of Representatives, set out as notes under those sections.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in title 5 section 8331.

§ 60e-9. Additional increase in compensation of legislative branch employees

(a) Each officer and employee in or under the legislative branch of the Government whose rate of compensation is increased by sections 60e-3 and 60e-4 of this title shall be paid additional compensation at the rate of 7.5 per centum of his gross rate of compensation (basic compensation plus additional compensation authorized by law).

(b) The limitation on gross rate per hour per person provided by applicable law on the effective date of this section with respect to the folding of speeches and pamphlets for the Senate is increased by 7.5 per centum. The amount of such increase shall be computed to the nearest cent, counting one-half cent and over as a whole cent. The provisions of subsection (a) of this section shall not apply to employees whose compensation is subject to such limitation.

(c) The official reporters of proceedings and debates of the Senate and their employees shall be considered to be officers or employees in or under the legislative branch of the Government within the meaning of subsection (a) of this section.

(d) Each officer or employee of the House of Representatives, whose compensation is disbursed by the Clerk of the House of Representatives and is not increased automatically, or is not permitted to be increased administratively, by reason of any other provision of this section, shall receive additional compensation at the rate of 7.5 per centum of the rate of his total annual compensation in effect immediately prior to the effective date of this section.

(e) The limitations on gross rate per thousand and gross rate per hour per person provided by applicable law on the effective date of this section with respect to the folding of speeches and pamphlets for the House of Representatives are increased by 7.5 per centum. The amount of each such increase shall be computed to the nearest cent, counting one-half cent and over as a whole cent.

(Pub. L. 86-568, title I, § 117(a), (e)-(h), July 1, 1960, 74 Stat. 303.)

REFERENCES IN TEXT

Effective date of this section, referred to in subsecs. (b), (d) and (e), was the effective date of Pub. L. 86-568, which under section 122 thereof was the first day of the first pay period which began on or after July 1, 1960.

CODIFICATION

Section is comprised of subsecs. (a), (e) to (h) of section 117 of Pub. L. 86-568. Subsecs. (b) to (e) of this section constitute subsecs. (e) to (h) of such section 117. Subsecs. (c) and (d) are set out as notes under section 60a-1 of this title; subsec. (i) of Pub. L. 86-568 was repealed by Pub. L. 89-554, § 8, Sept. 6, 1966, 80 Stat. 660, and is now covered by section 8331 of Title 5, Government Organization and Employees.

Section was formerly classified to section 932e(a) to (e) of Title 5 prior to the general revision and enactment of Title 5, Government Organization and Employees, by Pub. L. 89-554, § 1, Sept. 6, 1966, 80 Stat. 378.

INCREASES IN COMPENSATION

Increases in compensation for officers and employees of the Senate and the House of Representatives under authority of the Federal Salary Act of 1967 (Pub. L. 90-206) and the Federal Pay Comparability Act of 1970 (Pub. L. 91-656), see sections 60a-1 and 60a-2 of this title and Salary Directives of the President pro tempore of the Senate and the Speaker of the House of Representatives, set out as notes under those sections.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in title 5 section 8331.

§ 60e-10. Additional increase in compensation of legislative branch employees

(a) Each officer and employee in or under the legislative branch of the Government whose rate of compensation is increased by sections 60e-3 and 60e-4 of this title shall be paid additional compensation at the rate of 7 per centum of his gross rate of compensation (basic compensation plus additional compensation authorized by law).

(b) The limitation on gross rate per hour per person provided by applicable law on the effective date of this section with respect to the folding of speeches and pamphlets for the Senate is increased by 7 per centum. The amount of such increase shall be computed to the nearest cent, counting one-half cent and over as a whole cent. The provisions of subsection (a) of this section shall not apply to employees whose compensation is subject to such limitation.

(c) Each officer or employee of the House of Representatives, whose compensation is disbursed by the Clerk of the House of Representatives and is not increased automatically, or is not permitted to be increased administratively, by reason of any other provision of this section, shall receive additional compensation at the rate of 7 per centum of the rate of his total annual compensation in effect immediately prior to the effective date of this section.

(d) The limitations on gross rate per thousand and gross rate per hour per person provided by applicable law on the effective date of this section with respect to the folding of speeches and pamphlets for the House of Representatives are increased by 7 per centum. The amount of each such increase shall be computed to the nearest cent, counting one-half cent and over as a whole cent.

(e) Notwithstanding any other provision of this section, no rate of compensation which exceeds $21,500 shall be increased by this section, and no increase provided by this section shall cause the gross rate of compensation (basic plus additional compensation authorized by law) or the total annual compensation of any officer or employee to exceed $21,500.

(Pub. L. 87-793, § 1005(a), (e)-(g), (i), Oct. 11, 1962, 76 Stat. 866.)

REFERENCES IN TEXT

Effective date of this section, referred to in subsecs. (b), (c) and (d), was the effective date of Pub. L. 87-793, which under section 122 thereof, was the first day

of the first pay period which began on or after Oct. 11, 1962.

CODIFICATION

Section is comprised of subsecs. (a), (e) to (g), (i) of section 1005 of Pub. L. 87–793. Subsecs. (b) to (e) of this section constitute subsecs. (e) to (g) and (i) of section 1005. Subsecs. (c) and (d) of section 1005 are set out as notes under section 60a–1 of this title; subsec. (h) and (j) were repealed by Pub. L. 89–554, § 8, Sept. 6, 1966, 80 Stat. 662, and subsec. (h) is now covered by section 8331 of Title 5, Government Organization and Employees.

Section was formerly classified to section 932f(a) to (d) and (f) of Title 5 prior to the general revision and enactment of Title 5, Government Organization and Employees, by Pub. L. 89–554, § 1, Sept. 6, 1966, 80 Stat. 378.

INCREASES IN COMPENSATION

Increases in compensation for officers and employees of the Senate and the House of Representatives under authority of the Federal Salary Act of 1967 (Pub. L. 90–206) and the Federal Pay Comparability Act of 1970 (Pub. L. 91–656), see sections 60a–1 and 60a–2 of this title and Salary Directives of the President pro tempore of the Senate and the Speaker of the House of Representatives, set out as notes under those sections.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in title 5 section 8331.

§ 60e–11. Additional increase in compensation of legislative branch employees

(a) Each officer or employee in or under the legislative branch of the Government whose rate of compensation is increased by sections 60e–3 and 60e–4 of this title shall be paid additional compensation in an amount equal to the greater of the following amounts, as applicable:

(1) an amount equal to 3½ per centum of his gross rate of compensation (basic compensation plus additional compensation authorized by law) in effect immediately prior to the effective date of this section plus 1 per centum of such gross rate for each whole multiple, or part of a multiple, of $500 basic compensation; or

(2) an amount equal to 5 per centum of such gross rate.

(b) The total annual compensation in effect immediately prior to the effective date of this section of each officer or employee of the House of Representatives, whose compensation is disbursed by the Clerk of the House of Representatives and is not increased by reason of any other provision of this title, shall be increased by an amount which is equal to the amount of the increase provided by subsection (a) of this section in that gross rate which is nearest in amount to the total annual compensation of such officer or employee.

(c) Each of the limitations on gross rate per thousand and gross rate per hour per person provided by applicable law on the effective date of this section with respect to the folding of speeches and pamphlets for the House of Representatives shall be increased by 7 per centum. The amount of each increase under this subsection shall be computed to the nearest cent, counting one-half cent and over as a whole cent.

(d) The limitation on gross rate per hour per person provided by applicable law on the effective date of this section with respect to the folding of speeches and pamphlets for the Senate is hereby increased by 7 per centum. The amount of such increase shall be computed to the nearest cent, counting one-half cent and over as a whole cent. The provisions of subsection (a) of this section shall not apply to employees whose compensation is subject to such limitation.

(Pub. L. 88–426, title II, § 202(a)–(c), (h), Aug. 14, 1964, 78 Stat. 413, 414.)

REFERENCES IN TEXT

Effective date of this section, referred to in subsecs. (a)(1), (b) to (d), was the effective date of Pub. L. 88–426, which, under section 501 thereof except to the extent provided in 501(c) was the first day of the first pay period which began on or after July 1, 1964.

This title, referred to in subsec. (b), means Title II of Pub. L. 88–426. For classification of such title in this Code, see Short Title note hereunder.

CODIFICATION

Section is comprised of subsecs. (a) to (c) and (h) of section 202 of Pub. L. 88–426. Subsec. (d) of section 202 was repealed by Pub. L. 89–554, § 8, Sept. 6, 1966, 80 Stat. 662 and is now covered by section 8331 of Title 5, Government Organization and Employees; and subsecs. (f) and (g) of section 202 are set out as notes under section 60a–1 of this title.

Section was formerly classified to section 932g(a) to (c) and (e) of Title 5 prior to the general revision and enactment of Title 5, Government Organization and Employees, by Pub. L. 89–554, § 1, Sept. 6, 1966, 80 Stat. 378.

SHORT TITLE

Section 201 of Pub. L. 88–426 provided that: "This title [enacting this section, sections 61a, 61a–2, 61d, 61e, 84–2, 136a, 136b and 273 of this title, sections 42a and 51a of Title 31, sections 162a, 166b, and 166b–1 of Title 40, and former section 39a [now covered by section 303] of Title 44, amending sections 31 and 72a of this title and enacting provisions set out as notes under this section and sections 60a–1 and 60f of this title] may be cited as the 'Federal Legislative Salary Act of 1964.'"

LIMITATION ON 1964 INCREASES

Section 205 of Pub. L. 88–426 provided that: "No officer or employee subject to section 202(a) or 202(b) of this title [subsec. (a) or (b) of this section] shall receive, by reason of any provision of this title, an increase in gross rate of compensation (basic compensation plus additional compensation authorized by law), or in total annual compensation, which is in excess of the amount of the increase in basic compensation provided by the amendment made by section 102(a) of Title I of this Act [to section 5332(a) of Title 5, Government Organization and Employees] for positions in grade 18 of the General Schedule of the Classification Act of 1949, as amended [now covered by section 5101 et seq. and 5331 of Title 5]."

INCREASES IN COMPENSATION

Increases in compensation for officers and employees of the Senate and the House of Representatives under authority of the Federal Salary Act of 1967 (Pub. L. 90–206) and the Federal Pay Comparability Act of 1970 (Pub. L. 91–656), see sections 60a–1 and 60a–2 of this title and Salary Directives of the President pro tempore of the Senate and the Speaker of the House of Representatives, set out as notes under those sections.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in title 5 section 8331.

§ 60e-12. Additional increase in compensation of legislative branch employees

(a) Except as otherwise provided in this section, each officer or employee in or under the Legislative branch of the Government, whose rate of compensation is increased by sections 60e-3 and 60e-4 of this title, shall be paid additional compensation at the rate of 3.6 per centum of his gross rate of compensation (basic compensation plus additional compensation authorized by law).

(b) The total annual compensation in effect immediately prior to the effective date of this section of each officer or employee of the House of Representatives, whose compensation is disbursed by the Clerk of the House and is not increased by reason of any other provision of this section, shall be increased by an amount which is equal to the amount of the increase provided by subsection (a) of this section; except that this section shall not apply to the compensation of student congressional interns authorized by H. Res. 416 of the Eighty-ninth Congress.

(c) The limitation on gross rate per hour per person provided by applicable law on the effective date of this section with respect to the folding of speeches and pamphlets for the Senate is hereby increased by 3.6 per centum. The amount of such increase shall be computed to the nearest cent, counting one-half cent and over as a whole cent. The provisions of subsection (a) of this section shall not apply to employees whose compensation is subject to such limitation.

(Pub. L. 89-301, § 11(a), (b), (i), Oct. 29, 1965, 79 Stat. 1120, 1121.)

REFERENCES IN TEXT

This section, referred to in text, is section 11 of Pub. L. 89-301 which, besides being classified to this section, is also classified to sections 31 and 293 and section 60a-1 note of this title. See codification note below.

CODIFICATION

Section comprises subsecs. (a), (b), and (i) of section 11 of Pub. L. 89-301. Subsecs. (c) and (e) of section 11 are set out as sections 293a and 31, respectively, of this title, and subsecs. (g) and (h) of section 11 are set out as a note under section 60a-1 of this title. Subsec. (d) of section 11 is now covered in section 8331(3)(B)(ii) of Title 5, Government Organization and Employees.

Section was formerly classified to section 932h(a), (b), and (d) of Title 5 prior to the general revision and enactment of Title 5, Government Organization and Employees, by Pub. L. 89-554, § 1, Sept. 6, 1966, 80 Stat. 378.

EFFECTIVE DATE

Section effective on the first day of the first pay period which begins on or after October 1, 1965, see section 17(3) of Pub. L. 89-301.

INCREASES IN COMPENSATION

Increases in compensation for officers and employees of the Senate and the House of Representatives under authority of the Federal Salary Act of 1967 (Pub. L. 90-206) and the Federal Pay Comparability Act of 1970 (Pub. L. 91-656), see sections 60a-1 and 60a-2 of this title and Salary Directives of the President pro tempore of the Senate and the Speaker of the House of Representatives, set out as notes under those sections.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 293a of this title; title 5 section 8331.

§ 60e-13. Additional increase in compensation of legislative branch employees

(a) Except as otherwise provided in this title, each officer or employee in or under the legislative branch of the Government, whose rate of compensation is increased by sections 60e-3 and 60e-4 of this title, shall be paid additional compensation at the rate of 2.9 per centum of his gross rate of compensation (basic compensation plus additional compensation authorized by law).

(b) The total annual compensation in effect immediately prior to the effective date of this section of each officer or employee of the House of Representatives, whose compensation is disbursed by the Clerk of the House of Representatives and is not increased by reason of any other provision of this section, shall be increased by 2.9 per centum. Notwithstanding section 303 of this title or any other provision of this section, the total annual compensation of the Clerk of the House of Representatives and the Sergeant at Arms of the House of Representatives, respectively, shall be an amount which is equal to the total annual compensation of the Secretary of the Senate and the Sergeant at Arms of the Senate, respectively.

(c) This section shall not apply with respect to the compensation of student congressional interns authorized by House Resolution 416, Eighty-ninth Congress, and the compensation of employees whose compensation is fixed by the House Wage Schedule under the House Employees Position Classification Act [2 U.S.C. 291 et seq.].

(d) The limitation on gross rate per hour per person provided by applicable law on the effective date of this section with respect to the folding of speeches and pamphlets for the Senate is hereby increased by 2.9 per centum. The amount of such increase shall be computed to the nearest cent, counting one-half cent and over as a whole cent. The provisions of subsection (a) of this section shall not apply to employees whose compensation is subject to such limitation.

(Pub. L. 89-504, title III, § 302(a), (b), (e), (i), July 18, 1966, 80 Stat. 294.)

REFERENCES IN TEXT

This title, referred to in subsec. (a), is Title III, sections 301 to 304, of Pub. L. 89-504, which is classified to this section and section 293b of this title and as notes under this section and section 60a-1 of this title, and which was the source of section 8331(3)(B)(ii) of Title 5, Government Organization and Employees.

This section, referred to in subsecs. (b) to (d), is section 302 of Pub. L. 89-504, which is classified to this section and section 293b of this title and as a note under section 60a-1 of this title, and which was the source of section 8331(3)(B)(ii) of Title 5, Government Organization and Employees. See Codification note below.

Effective date of this section, referred to in subsecs. (b) and (d), as the first day of the first pay period

which begins on or after July 1, 1966, see Effective Date note under this section.

Section 303 of this title, referred to in subsec. (b), is section 303 of Title III of Pub. L. 89-504, which is set out as a note under this section.

The House Employees Position Classification Act, referred to in subsec. (c), is classified generally to chapter 10 (§ 291 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 291 of this title and Tables volume.

CODIFICATION

Section comprises subsecs. (a), (b), (e), and (i) of section 302 of Pub. L. 89-504. Subsec. (c) of section 302 is set out as section 293b of this title, and subsecs. (g) and (h) of section 302 are set out as notes under section 60a-1 of this title. Subsec. (d) of section 302 was the source of section 8331(3)(B)(ii) of Title 5, Government Organization and Employees.

Section was formerly classified to section 932i(a), (b), (d), and (e) of Title 5 prior to the general revision and enactment of Title 5, Government Organization and Employees, by Pub. L. 89-554, § 1, Sept. 6, 1966, 80 Stat. 378.

EFFECTIVE DATE

Section 304 of Pub. L. 89-504 provided that:

"This title [sections 301-304 of Pub. L. 89-504] shall become effective as follows:

"(1) This section and section 301 [enacting Short Title note hereunder] shall become effective on the date of enactment of this Act [July 18, 1966].

"(2) Sections 302 and 303 [enacting this section and section 293b of this title and provisions set out as notes under this section and section 60a-1 of this title] shall become effective on the first day of the first pay period which begins on or after July 1, 1966."

SHORT TITLE

Section 301 of Pub. L. 89-504 provided that: "This title [enacting this section and section 293b of this title and provisions set out as notes under this section and section 60a-1 of this title] may be cited as the 'Federal Legislative Salary Act of 1966'."

SALARY INCREASE LIMITATION

Section 303 of Pub. L. 89-504 provided that: "No rate of compensation shall be increased, by reason of the enactment of this title [see Short Title note under this section], to an amount in excess of the salary rate now or hereafter in effect for level V of the Federal Executive Salary Schedule [section 5316 of Title 5, Government Organization and Employees]."

Provision effective on the first day of the first pay period which begins on or after July 1, 1966, see section 304(2) of Pub. L. 89-504, set out as Effective Date note under this section.

INCREASES IN COMPENSATION

Increases in compensation for officers and employees of the Senate and the House of Representatives under authority of the Federal Salary Act of 1967 (Pub. L. 90-206) and the Federal Pay Comparability Act of 1970 (Pub. L. 91-656), see sections 60a-1 and 60a-2 of this title and Salary Directives of the President pro tempore of the Senate and the Speaker of the House of Representatives, set out as notes under those sections.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 293b of this title; title 5 section 8331.

§ 60e-14. Additional increase in compensation of legislative branch employees

(a) Except as otherwise provided in this title, each officer or employee in or under the legislative branch of the Government, whose rate of compensation is increased by sections 60e-3 and 60e-4 of this title, shall be paid additional compensation at the rate of 4.5 per centum of his gross rate of compensation (basic compensation plus additional compensation authorized by law).

(b) The total annual compensation in effect immediately prior to the effective date of this section of each officer or employee of the House of Representatives, whose compensation is disbursed by the Clerk of the House of Representatives and is not increased by reason of any other provision of this section, shall be increased by 4.5 per centum.

(c) This section shall not apply with respect to the compensation of student congressional interns and the compensation of employees whose compensation is fixed by the House Wage Schedule under the House Employees Position Classification Act [2 U.S.C. 291 et seq.].

(d) The limitation on gross rate per hour per person provided by applicable law on the effective date of this section with respect to the folding of speeches and pamphlets for the Senate is hereby increased by 4.5 per centum. The amount of such increase shall be computed to the nearest cent, counting one-half cent and over as a whole cent. The provisions of subsection (a) of section 61-2 of this title shall not apply to employees whose compensation is subject to such limitation, or to employees referred to in the last proviso in the second paragraph under the heading "SENATE" in the Second Deficiency Appropriation Act, 1948.

(Pub. L. 90-206, title II, § 214(a), (b), (f), (m), Dec. 16, 1967, 81 Stat. 635-637.)

REFERENCES IN TEXT

This title, referred to in subsec. (a), is Title II of Pub. L. 90-206. For classification of sections comprising Title II, see Short Title note set out under section 5332 of Title 5, Government Organization and Employees.

The effective date of this section, referred to in subsecs. (b) and (d), as the beginning of the first pay period which begins on or after Oct. 1, 1967, see Effective Date note set out under this section.

This section, referred to in subsec. (b) and (c), is section 214 of Pub. L. 90-206. For classification of section 214, see Codification note set out under this section.

The House Employees Position Classification Act, referred to in subsec. (c), is classified generally to chapter 10 (§ 291 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 291 of this title and Tables volume.

The Second Deficiency Appropriation Act, 1948, referred to in subsec. (d), is act June 25, 1948, ch. 658, 62 Stat. 1027. For classification of such Act in this Code, see Tables volume.

CODIFICATION

Section comprises subsecs. (a), (b), (f), and (m) of section 214 of Pub. L. 90-206. Subsec. (c) of Pub. L. 90-206 is set out as section 293c of this title, subsec. (d) is set out as a note under section 8339 of Title 5, Government Organization and Employees, subsec. (e) is set out as section 74a-2 of this title, subsecs. (g) to (i) are set out as section 61-2 of this title, subsecs. (j) to (l) amend section 61-1 of this title, subsec. (n) amends section 60j of this title, subsec. (o) amends section 5533 of Title 5, and subsec. (p) amends section 166b-3 of Title 40, Public Buildings, Property, and Works.

EFFECTIVE DATE

Section effective as of the beginning of the first pay period which begins on or after Oct. 1, 1967, see section 220(a)(2) of Pub. L. 90-206, set out as a note under section 5332 of Title 5, Government Organization and Employees.

SHORT TITLE

Section 1 of Pub. L. 90-206 provided: "That this Act [enacting this section and sections 61-2, 74a-2, 293c, and 351 to 361 of this title, sections 3110, 5733, and 8714a of Title 5, former section 5345 of Title 5, and sections 3512A, 4009, 4170, 4560, and 4655 of former Title 39, amending sections 2303, 3301, 3512, 3513-3531, 3542, 3543, 3544, 3560, 3571, 3573, 3575, 4001, 4106, 4251, 4252, 4253, 4301, 4303, 4355, 4358, 4359, 4362, 4363, 4365, 4369, 4422, 4451, 4452, 4552, 4554, 4555, 4651, 4653, 4654, and 6008 of former Title 39, sections 61-1, 60j, 136a, and 136a-1 of this title, section 102 note of Title 3, sections 4101, 5303, 5314, 5315, 5316, 5332, 5533, 5542, 5544, 5545, 8339, 8704, 8707, and 8708 of Title 5, sections 867 and 870 of Title 22, sections 603 and 792 of Title 28, sections 42a and 51a of Title 31, section 4107 of Title 38, sections 162a, 166b, 166b-1, and 166b-3 of Title 40, and former section 39a of Title 44, and enacting provisions set out as notes under this section and sections 3512A, 3542, 3544, 3552, 3560, 4001, 4009 and 4252 of former Title 39, sections 3110, 5304, 5332, 5542, 8339, 8704, and 8714a of Title 5, section 590h of Title 16, section 867 of Title 22, and sections 548, 603, 604, and 753 of Title 28] may be cited as the 'Postal Revenue and Federal Salary Act of 1967'."

SALARY INCREASE LIMITATION

Section 216 of Pub. L. 90-206 provided that: "Except as provided in sections 213(d) and (e) [amending sections 603 and 792 of Title 28], 214 [enacting this section and sections 61-2, 74a-2 and 293c of this title, amending sections 60j and 61-1 of this title, section 5533 of Title 5, and section 166b-3 of Title 40, and enacting provisions set out as a note under section 8339 of Title 5], 215 [amending sections 5314 to 5316 of Title 5], and 219 [amending sections 136a and 136a-1 of this title, sections 42a and 51a of Title 31, sections 162a, 166b and 166b-1 of Title 40, and former section 39a of Title 44], and subject to the operation of section 225 of this title [enacting sections 351 to 361 of this title], no rate of compensation shall be increased, by reason of the enactment of this title, to an amount in excess of the salary rate for level V of the Executive Schedule in section 5316 of title 5, United States Code, in effect on or after the first day of the first pay period which begins on or after the date of enactment of this title."

Section 216 of Pub. L. 90-206 effective as of the beginning of the first pay period which begins on or after Oct. 1, 1967, see section 220(a)(2) of Pub. L. 90-206, set out as a note under section 5332 of Title 5, Government Organization and Employees.

1970 INCREASE IN PAY RATES OF CERTAIN EMPLOYEES OF THE LEGISLATIVE BRANCH

Adjustment by the President pro tempore of the Senate with respect to the United States Senate, by the Finance Clerk of the House of Representatives with respect to the United States House of Representatives, and by the Architect of the Capitol with respect to the Office of the Architect of the Capitol, effective on the first day of the first pay period which begins on or after Dec. 27, 1969, of the rates of pay of employees of the legislative branch subject to section 214 of Pub. L. 90-206, with certain exceptions, by the amounts of the adjustment for corresponding rates for employees subject to the General Schedule, set out in section 5332 of Title 5, which had been made by section 2 of Pub. L. 91-231 raising such rates by 6 percent, see Pub. L. 91-231, set out as a note under section 5332 of Title 5, Government Organization and Employees.

INCREASES IN COMPENSATION

Increases in compensation for officers and employees of the Senate and the House of Representatives under authority of the Federal Salary Act of 1967 (Pub. L. 90-206) and the Federal Pay Comparability Act of 1970 (Pub. L. 91-656), see sections 60a-1 and 60a-2 of this title and Salary Directives of the President pro tempore of the Senate and the Speaker of the House of Representatives, set out as notes under those sections.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 293c of this title; title 5 section 8331.

§ 60f. Repealed. Pub. L. 90-57, § 105(1)(2), July 28, 1967, 81 Stat. 144

Section, acts July 1, 1941, ch. 268, § 1, 55 Stat. 448; June 8, 1942, ch. 396, § 1, 56 Stat. 333; June 28, 1943, ch. 173, title I, § 101, 57 Stat. 222; June 26, 1944, ch. 277, title I, § 1, 58 Stat. 337; Dec. 20, 1944, ch. 617, § 2(a), 58 Stat. 832; June 13, 1945, ch. 189, § 1, 59 Stat. 241; July 1, 1946, ch. 530, § 101, 60 Stat. 390; Oct. 28, 1949, ch. 783, title I, § 101(c)(3), 63 Stat. 974; Oct. 24, 1951, ch. 554, § 2(c)(2), 65 Stat. 614; June 28, 1955, ch. 189, § 4(e)(3), 69 Stat. 177; May 19, 1956, ch. 313, Ch. XII, § 1201, 70 Stat. 175; Sept. 1, 1959, Pub. L. 86-213, § 1(a), (b), 73 Stat. 443; Aug. 10, 1961, Pub. L. 87-130, § 101, 75 Stat. 323, authorized Senators and committee chairmen to change employees' salaries, required certifications, and provided for designation of titles for positions, and is now covered by section 61-1(a), (d), (e) of this title.

EFFECTIVE DATE OF REPEAL

Repeal of section by Pub. L. 90-57 eff. Aug. 1, 1967, see section 105(k) of Pub. L. 90-57, set out as a note under section 61-1 of this title.

§ 60f-1. Repealed. Pub. L. 86-213, § 1(c), Sept. 1, 1959, 73 Stat. 444

Section, act June 27, 1956, ch. 453, 70 Stat. 359, authorized the Senators to fix the basic compensation of one employee at a rate not to exceed $8,040 per annum.

§§ 60g, 60g-1. Repealed. Pub. L. 91-510, title IV, § 477(a)(1), (2), Oct. 26, 1970, 84 Stat. 1195

Section 60g, acts Dec. 20, 1944, ch. 617, § 1, 58 Stat. 831; June 23, 1949, ch. 238, § 4, 63 Stat. 265, which related to clerk hire for Members and Resident Commissioner, rearrangements or changes in salaries and number of employees, maximum and minimum salaries, prohibition against increase in aggregate amount of salaries, required compensation rate to be in multiples of five, and certification of rearrangements or changes of salary schedules, and is now covered by section 332 of this title.

Section 60g-1, acts July 2, 1954, ch. 455, title I, § 101, 68 Stat. 401; Aug. 5, 1955, ch. 568, § 11(a), 69 Stat. 509; Aug. 3, 1956, ch. 938, § 1(a), 70 Stat. 990; Aug. 10, 1961, Pub. L. 87-130, § 103, 75 Stat. 334; July 27, 1965, Pub. L. 89-90, § 103, 79 Stat. 81; Aug. 27, 1966, Pub. L. 89-545, § 103, 80 Stat. 369, related to increase in basic rates for clerk hire for House Members and Resident Commissioner, including the case of a constituency having a population of five hundred thousand or more, limited basic rate to $7,500 per annum and to one person at any one time, and is now covered by section 332 of this title.

EFFECTIVE DATE OF REPEAL

Repeal by Pub. L. 91-510 effective immediately prior to noon on Jan. 3, 1971, see section 601(1) of Pub. L. 91-510, set out as a note under section 72a of this title.

§ 60g-2. Employment of student Congressional interns by Representatives and Resident Commissioner

(a) Notwithstanding any other provision of law, each Member of the House of Representatives and the Resident Commissioner from Puerto Rico are authorized to hire for two and one-half months during the period June 1 to August 31, inclusive, each year, one additional employee to be known as a "student congressional intern". For this purpose each Member of the House of Representatives and the Resident Commissioner from Puerto Rico shall have available for payment to such intern a gross allowance of $750, at the gross rate of $300 per month, payable from the contingent fund of the House until otherwise provided by law. Such allowance and such intern shall be in addition to all allowances and personnel made available to such Member or Commissioner under other provisions of law.

(b) No person shall be paid compensation as a student congressional intern who does not have on file with the Clerk of the House of Representatives, at all times during the period of his employment, a certificate that such intern was during the academic year immediately preceding his employment a bona fide student at a college, university, or similar institution of higher learning.

(Pub. L. 89-545, § 103, Aug. 27, 1966, 80 Stat. 369.)

CODIFICATION

Section is based on House Resolution No. 416, June 16, 1965, which was enacted into permanent law by Pub. L. 89-545.

DELEGATE FROM DISTRICT OF COLUMBIA

Provisions of subsec. (a) of this section applicable, effective Sept. 22, 1970, with respect to Delegate to House of Representatives from District of Columbia in same manner and to same extent as applicable with respect to a Representative, see sections 204(a), 206(b) of Pub. L. 91-405, title II, Sept. 22, 1970, 84 Stat. 852, set out as notes under section 25 of this title.

SECTION REFERRED TO IN D.C. CODE

This section is referred to in section 1-292 of the District of Columbia Code.

§ 60h. Omitted

CODIFICATION

Section, act Apr. 25, 1945, ch. 95, title I, 59 Stat. 78, limited salary increases of standing committee clerks, and is omitted as superseded by section 72a of this title.

§ 60i. Repealed. Pub. L. 87-730, § 106(c), Oct. 2, 1962, 76 Stat. 695

Section, act Feb. 13, 1945, ch. 2, § 1, 59 Stat. 4, prescribed basic rates of compensation of telephone operators on the United States Capitol telephone exchange and authorized certain longevity increases. See section 60j of this title.

EFFECTIVE DATE OF REPEAL

Section repealed effective Sept. 1, 1962, see section 106(e) of Pub. L. 87-730, set out as a note under section 60j of this title.

PROHIBITION AGAINST PAYMENT OF LONGEVITY INCREASE AFTER SEPT. 1, 1962

Section 106(c) of Pub. L. 87-730 provided in part that no longevity increase payable under authority of this section prior to Sept. 1, 1962, shall be payable on or after Sept. 1, 1962.

§ 60j. Longevity compensation

(a) Eligible employees

This section shall apply to—

(1) Each employee of the Senate whose compensation is paid from the appropriation for Salaries, Officers and Employees, under the heading "Office of the Secretary", except the Assistant to the Majority, and the Assistant to the Minority.

(2) Each employee of the Senate whose compensation is paid from such appropriation under the heading "Office of Sergeant at Arms and Doorkeeper", except employees designated on the rolls as "special employees".

(3) Each employee of the Senate whose compensation is paid from such appropriation under the heading "Official Reporters of Debates".

(4) Each employee of the Senate whose compensation is paid from such appropriation under the heading "Offices of the Secretaries for the Majority and the Minority".

(5) Each employee of the Senate authorized by Senate resolution to be appointed by the Secretary or Sergeant at Arms, except employees designated on the rolls as "special employees".

(6) Telephone operators, including the chief operator and assistant chief operators, on the United States Capitol telephone exchange.

(7) Members of the Capitol Police.

(8) The Chief Guide, Assistant Chief Guide, and each Guide of the Capitol Guide Service established under section 851 of title 40.

(b) Rate of compensation; limitation on increases; computation of service; effective date of payment

An employee to whom this section applies shall be paid during any period of continuous service as such an employee additional gross compensation (hereinafter referred to as "longevity compensation") at the rate of $1,002 per annum for each five years of service performed as such an employee during such period. No employee shall receive more than four such increases upon the basis of any period of continuous service, and nothing in this section shall be construed to authorize the payment to any employee of total compensation, including longevity compensation, in excess of the maximum amount prescribed by the law for Senate employees generally. Notwithstanding the first sentence of this subsection, the first increase under this section for telephone operators (exclusive of the chief operator and assistant chief operators), who on September 1, 1962, have more than 25 years of service as a telephone operator on the United States Capitol telephone exchange shall be $240 basic per annum. In computing length of continuous service for the purposes of this section only service performed subsequent to August 31, 1957, shall be credited, and in the case of employees of the Official Reporters of Debates of the Senate there shall be credited any service as such an employ-

ee performed during the period beginning on September 1, 1957, and ending on June 30, 1960, whether or not compensated from the appropriation referred to in subsection (a) of this section. Continuity of service for the purpose of this subsection shall not be deemed to be broken by separations from service of not more than thirty days, by the performance of service as an employee, other than an employee subject to the provisions of this section, whose compensation is disbursed by the Secretary of the Senate or the Clerk of the House of Representatives, or by the performance of active military service in the armed forces of the United States, but such separations and service shall not be credited for the purposes of this section. Longevity compensation under this section shall be payable on and after the first day of the first month following completion of the five-year period upon which such compensation is based.

(Pub. L. 87-730, § 106(a), (b), (d), Oct. 2, 1962, 76 Stat. 694, 695; Pub. L. 88-454, § 104(b), Aug. 20, 1964, 78 Stat. 550; Pub. L. 90-57, § 105(g), July 28, 1967, 81 Stat. 143; Pub. L. 90-206, title II, § 214(n), Dec. 16, 1967, 81 Stat. 637; Pub. L. 91-656, § 4, Jan. 8, 1971, 84 Stat. 1952; Pub. L. 93-371, § 101, Aug. 13, 1974, 88 Stat. 436.)

CODIFICATION

Subsecs. (a) and (b) of this section are from subsecs. (a) and (b) of section 106 of Pub. L. 87-730. Subsec. (c) of this section was the second sentence of subsec. (d) of section 106. Subsec. (c) of section 106 repealed section 60i of this title, and the first sentence of subsec. (d) of section 106 repealed section 105 of the Legislative Branch Appropriation Act, 1959.

AMENDMENTS

1976—The figure "954" contained in subsec. (b) of this section deemed to refer to the figure "1,002", effective Oct. 1, 1976, pursuant to Pub. L. 91-656, § 4, see section 4(d) of the Salary Directive of the President pro tempore of the Senate, Oct. 8, 1976, set out as a note under section 60a-1 of this title.

1975—The figure "906" contained in subsec. (b) of this section deemed to refer to the figure "954", effective Oct. 1, 1975, pursuant to Pub. L. 91-656, § 4, see section 4(d) of the Salary Directive of the President pro tempore of the Senate, Oct. 2, 1975, set out as a note under section 60a-1 of this title.

1974—Subsec. (a)(8). Pub. L. 93-371 added subsec. (a)(8).

The figure "855" contained in subsec. (b) of this section deemed to refer to the figure "906", effective Oct. 1, 1974, pursuant to Pub. L. 91-656, § 4, see section 4(d) of the Salary Directive of the President pro tempore of the Senate, Oct. 7, 1974, set out as a note under section 60a-1 of this title.

1973—The figure "816" contained in subsec. (b) of this section deemed to refer, effective Oct. 1, 1973, to the figure "855", pursuant to Pub. L. 91-656, § 4, see section 4(d) of the Salary Directive of the President pro tempore of the Senate, Oct. 4, 1973, set out as a note under section 60a-1 of this title.

1972—The figure "777" contained in subsec. (b) of this section deemed to refer to the figure "816" pursuant to Pub. L. 91-656, § 4, see section 4(d) of the Salary Directive of the President pro tempore of the Senate, Dec. 16, 1972, set out as a note under section 60a-1 of this title.

1971—The figure "738" contained in subsec. (b) of this section deemed to refer to the figure "777", effective Jan. 1, 1972, pursuant to Pub. L. 91-656, § 4, see section 4(d) of the Salary Directive of the President pro tempore of the Senate, Dec. 23, 1971, set out as a note under section 60a-1 of this title.

The figure "696" appearing in subsec. (b) of this section deemed to refer to the figure "738", effective Feb. 1, 1971, pursuant to Pub. L. 91-656, see section 4(d) of the Salary Directive of the President pro tempore of the Senate, Jan. 15, 1971, set out as a note under section 60a-1 of this title.

1969—Subsec. (b). The figure "597" contained in subsection (b) of this section, as increased by Order of June 12, 1968, deemed, on and after July 1, 1969, to refer to the figure "657", pursuant to Pub. L. 90-206, § 225(h), see section 4(c) of the Salary Directive of the President pro tempore of the Senate, June 17, 1969, set out as a note under section 60a-1 of this title.

1968—Subsec. (b). The figure "564" contained in subsection (b) of this section deemed, on and after July 1, 1968, to refer to the figure "597", pursuant to Pub. L. 90-206, § 225(h), see section 1(h) of the Salary Directive of the President pro tempore of the Senate, June 12, 1968, set out as a note under section 60a-1 of this title.

1967—Subsec. (b). Pub. L. 90-206, § 214(n), substituted "$564" for "540".

Pub. L. 90-57 substituted in the first sentence "gross compensation" and "$540 per annum" for "basic compensation" and "$120 per annum" and eliminated therefrom "if at the time of such payment the annual rate of basic compensation (exclusive of longevity compensation) of the position in which employed is less than $1,800, or $180 per annum if at such time such rate is $1,800 or more," preceding "for each five years of service".

1964—Subsec. (c). Pub. L. 88-454 repealed former subsec. (c) which related to increases for members of the Capitol Police. See section 60j-1 of this title.

EFFECTIVE DATE OF 1967 AMENDMENTS

Amendment by Pub. L. 90-206 effective at the beginning of the first pay period which begins on or after Dec. 16, 1967, see section 220(a)(3) of Pub. L. 90-206, set out as a note under section 603 of Title 28, Judiciary and Judicial Procedure.

Amendment by Pub. L. 90-57 effective Aug. 1, 1967, see section 105(k) of Pub. L. 90-57, set out as a note under section 61-1 of this title.

EFFECTIVE DATE OF 1964 AMENDMENT

Repeal of subsec. (c) of this section effective Sept. 1, 1964, see section 104(d) of Pub. L. 88-454, set out as a note under section 60j-1 of this title.

EFFECTIVE DATE

Section 106(e) of Pub. L. 87-730 provided that: "This section [enacting this section, and repealing section 60i of this title and section 105 of the Legislative Branch Appropriation Act, 1959] shall become effective on September 1, 1962."

1970 INCREASE IN PAY RATES OF CERTAIN EMPLOYEES OF THE LEGISLATIVE BRANCH

Adjustment by the President pro tempore of the Senate with respect to the United States Senate, by the Finance Clerk of the House of Representatives with respect to the United States House of Representatives, and by the Architect of the Capitol with respect to the Office of the Architect of the Capitol, effective on the first day of the first pay period which begins on or after Dec. 27, 1969, of the rates of pay of employees of the legislative branch subject to section 214 of Pub. L. 90-206 with certain exceptions, by the amounts of the adjustment for corresponding rates for employees subject to the General Schedule, set out in section 5332 of Title 5, which had been made by section 2 of Pub. L. 91-231 raising such rates by 6 percent, see Pub. L. 91-231, set out as a note under section 5332 of Title 5, Government Organization and Employees.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 60j-1, 61-1, and 61-2 of this title.

§ 60j-1. Capitol Police longevity compensation

Any member of the Capitol Police who by reason of the provision repealed by subsection (b) was receiving immediately prior to the effective date of this section, longevity compensation provided by section 105 of the Legislative Branch Appropriation Act, 1959, shall, on and after such effective date, receive in lieu thereof a longevity increase under section 60j(b) of this title, in addition to any other such increases (not to exceed three) to which he may otherwise be entitled under such section. In computing the length of service of such member for the purpose of such other increases, only service performed subsequent to the date on which he began receiving longevity compensation in accordance with such section 105 shall be counted.

(Pub. L. 88-454, § 104(c), Aug. 20, 1964, 78 Stat. 550.)

References in Text

The provision repealed by subsection (b), referred to in the text, means subsec. (c) of section 60j of this title.

Section 105 of the Legislative Branch Appropriation Act, 1959, referred to in the text, was repealed by Pub. L. 87- 730, § 106(d), Oct. 2, 1962, 76 Stat. 695.

Effective Date

Section 104(d) of Pub. L. 88-454 provided that: "This section [enacting this section and repealing subsec. (c) of section 60j of this title] shall become effective on the first day of the month following the date of enactment of this Act [Aug. 20, 1964]."

§ 61. Limit on rate of compensation of officers and employees of the Senate

No officer or employee of the Senate shall receive pay for any services performed by him at any rate higher than that provided for the office or employment to which he has been regularly appointed.

(Aug. 5, 1882, ch. 390, § 1, 22 Stat. 270.)

Cross References

Payment from contingent fund of the House of additional salary or compensation to officers or employees of the House, see section 95 of this title.

§ 61-1. Gross rate of compensation of employees paid by Secretary of Senate

(a) Annual rate; certification

(1) Whenever the rate of compensation of any employee whose compensation is disbursed by the Secretary of the Senate is fixed or adjusted on or after August 1, 1967, such rate as so fixed or adjusted shall be a single per annum gross rate which is a multiple of $167.

(2) New or changed rates of compensation of any such employees shall be certified in writing to the disbursing office of the Senate on or before the day on which they are to become effective, except that in the case of any change, other than an appointment, to become effective on or after the first day and prior to the tenth day of any month, such certification may be made at any time not later than the tenth day of such month.

(b) Conversion; increase in compensation

The rate of compensation of each employee whose compensation is disbursed by the Secretary of the Senate which was fixed before August 1, 1967, at a basic rate with respect to which additional compensation is payable by law shall be converted as of such date to the lowest per annum gross rate which is a multiple of $180 and which is not less than the aggregate rate of compensation (basic compensation plus additional compensation provided by law) which such employee was receiving immediately prior to such date. Any increments of longevity compensation to which an employee became entitled prior to August 1, 1967, under section 60j(b) of this title shall be excluded in converting such employee's rate of compensation under this subsection, but such employee's rate of gross compensation shall be increased by $540 (which shall be considered to be an increase under section 60j(b) of this title) for each such increment.

(c) Reference in other provisions to basic rates and additional compensation as reference to per annum gross rate

In any case in which the rate of compensation of any employee or position, or class of employees or positions, the compensation for which is disbursed by the Secretary of the Senate, or any maximum or minimum rate with respect to any such employee, position, or class, is referred to in or provided by statute or Senate resolution, and the rate so referred to or provided is a basic rate with respect to which additional compensation is provided by law, such statutory provision or resolution shall be deemed to refer, in lieu of such basic rate, to the per annum gross rate which an employee receiving such basic rate immediately prior to August 1, 1967, would receive (without regard to such statutory provision or resolution) under subsection (b) of this section on and after such date.

(d) Compensation of employees in office of Senator; limitation; titles of positions

(1)(A) The aggregate of gross compensation paid employees in the office of a Senator shall not exceed during each fiscal year the following:

$449,063 if the population of his State is less than 2,000,000;

$462,089 if such population is 2,000,000 but less than 3,000,000;

$493,485 if such population is 3,000,000 but less than 4,000,000;

$533,899 if such population is 4,000,000 but less than 5,000,000;

$566,965 if such population is 5,000,000 but less than 7,000,000;

$601,701 if such population is 7,000,000 but less than 9,000,000;

$639,443 if such population is 9,000,000 but less than 10,000,000;

$668,501 if such population is 10,000,000 but less than 11,000,000;

$706,577 if such population is 11,000,000 but less than 12,000 000;

$735,635 if such population is 12,000,000 but less than 13,000,000;

$772,709 if such population is 13,000,000 but less than 15,000,000;

$809,783 if such population is 15,000,000 but less than 17,000,000;

$846,857 if such population is 17,000,000 but less than 19,000,000;

$874,579 if such population is 19,000,000 but less than 21,000,000;

$902,301 if such population is 21,000,000 or more.

In any fiscal year in which a Senator does not hold the office of Senator at least part of each month of that year, the aggregate amount available for gross compensation of employees in the office of that Senator shall be the applicable amount contained in the table included in this subparagraph, divided by 12, and multiplied by the number of months the Senator holds such office during that fiscal year, counting any fraction of a month as a full month.

(B) The aggregate of payments of gross compensation made to employees in the office of a Senator during each fiscal year shall not exceed at any time during such fiscal year one-twelfth of the applicable amount contained in the table included in subparagraph (A) of this paragraph multiplied by the number of months (counting a fraction of a month as a month) elapsing from the first month in that fiscal year in which the Senator holds the office of Senator through the end of the current month for which the payment of gross compensation is to be made.

(2) Within the limits prescribed by paragraph (1) of this subsection, Senators may fix the number and the rates of compensation of employees in their respective offices. The salary of an employee in a Senator's office shall not be fixed under this paragraph at a rate less than $1,169 per annum or in excess of $27,221 per annum except that, (i) the salaries of five employees may be fixed at rates of not more than $47,929 per annum, and (ii) the salary of one employee may be fixed at a rate of not more than $50,100 per annum. A Senator may establish such titles for positions in his office as he may desire to designate, by written notification to the disbursing office of the Senate.

(e) Compensation of professional staff members and clerical staff of standing committees; standing or select committee employees; gross rate limitation

(1) Subject to the provisions of paragraph (3), the professional staff members of standing committees of the Senate shall receive gross annual compensation to be fixed by the chairman at not to exceed $49,432.

(2) The rates of gross compensation of the clerical staff of each standing committee of the Senate shall be fixed by the chairman as follows:

(A) for each committee (other than the Committee on Appropriations), one chief clerk and one assistant chief clerk at not to exceed $49,432, and not to exceed four other clerical assistants at not to exceed $19,706; and

(B) for the Committee on Appropriations, one chief clerk and one assistant chief clerk and two assistant clerks at not to exceed $49,432; such assistant clerks as may be necessary at not to exceed $29,726; and such other clerical assistants as may be necessary at not to exceed $19,706.

(3) No employee of any standing or select committee of the Senate (including the majority and minority policy committees and the conference majority and conference minority of the Senate), or of any joint committee the expenses of which are paid from the contingent fund of the Senate, shall be paid at a gross rate in excess of $49,432 per annum, except that—

(A) four employees of any such committee (other than the Committee on Appropriations), who are otherwise authorized to be paid at such rate, may be paid at gross rates not in excess of $51,436 per annum, and two such employees may be paid at gross rates not in excess of $54,275 per annum; and

(B) sixteen employees of the Committee on Appropriations who are otherwise authorized to be paid at such rate, may be paid at gross rates not in excess of $51,436 per annum, and three such employees may be paid at gross rates not in excess of $54,275 per annum.

For the purpose of this paragraph, an employee of a subcommittee shall be considered to be an employee of the full committee.

(f) General limitation.

No officer or employee whose compensation is disbursed by the Secretary of the Senate shall be paid gross compensation at a rate less than $1,169 or in excess of $54,275 unless expressly authorized by law.

(g) Conversion of compensation of Capitol telephone exchange operators and Capitol Police paid by Clerk of House

The rate of compensation of each telephone operator on the United States Capitol telephone exchange and each member of the Capitol Police, whose compensation is disbursed by the Clerk of the House of Representatives shall be converted to a gross rate in accordance with the provisions of this section.

(Pub. L. 90-57, § 105(a)-(f), (j), July 28, 1967, 81 Stat. 141-144; Pub. L. 90-206, title II, § 214 (j)-(*l*), Dec. 16, 1967, 81 Stat. 637; Pub. L. 91-145, § 101, Dec. 12, 1969, 83 Stat. 340; Pub. L. 91-510, title III, § 305, Oct. 26, 1970, 84 Stat. 1181; Pub. L. 91-656, § 4, Jan. 8, 1971, 84 Stat. 1952; Pub. L. 92-184, ch. IV, § 401, Dec. 15, 1971, 85 Stat. 633; Pub. L. 92-607, ch. V, § 505, Oct. 31, 1972, 86 Stat. 1505; Pub. L. 93-145, § 101, Nov. 1, 1973, 87 Stat. 532; Pub. L. 93-245, ch. VI, § 601, Jan. 3, 1974, 87 Stat. 1078; Pub. L. 93-255, § 1, Mar. 27, 1974, 88 Stat. 52; Pub. L. 93-371, § 101(6), Aug. 13, 1974, 88 Stat. 430; Pub. L. 94-59, title I, § 102, July 25, 1975, 89 Stat. 274; Pub. L. 94-440, title I, § 101(a), Oct. 1, 1976, 90 Stat. 1443.)

CODIFICATION

Section is comprised of subsecs. (a) to (f) and (j) of section 105 of Pub. L. 90-57. Other subsections of such section 105 provided as follows: subsecs. (g) and (h) amended section 60j(b) of this title and section 5533(c) of Title 5, respectively; subsec. (i) repealed sections 60f, 72a-1, 72a-1a, and 72a-4 of this title and amended provisions set out as a note under section 60a-1 of this title.

AMENDMENTS

1976—Subsec. (a)(1). Figure "167" was substituted for figure "159" to reflect the use of the figure "167" as the multiple used for determining the general upward revision of salaries by the Salary Directive of

the President pro tempore of the Senate, Oct. 8, 1976, set out as a note under section 60a–1 of this title.

Subsec. (d)(1). Pub. L. 94-440 substituted "fiscal year" for "calendar year" wherever appearing.

Subsec. (d)(1)(A). The table was revised upward, effective Oct. 1, 1976, by section 6(b) of the Salary Directive of the President pro tempore of the Senate, Oct. 8, 1976, set out as a note under section 60a–1 of this title. Prior to such upward revision, the table was set out as follows:

"$413,082 if the population of his State is less than 2,000,000;

"$425,484 if such population is 2,000,000 but less than 3,000,000;

"$455,376 if such population is 3,000,000 but less than 4,000,000;

"$493,854 if such population is 4,000,000 but less than 5,000,000;

"$525,336 if such population is 5,000,000 but less than 7,000,000;

"$558,408 if such population is 7,000,000 but less than 9,000,000;

"$594,342 if such population is 9,000,000 but less than 10,000,000;

"$622,008 if such population is 10,000,000 but less than 11,000,000;

"$658,260 if such population is 11,000,000 but less than 12,000,000;

"$685,926 if such population is 12,000,000 but less than 13,000,000;

"$721,224 if such population is 13,000,000 but less than 15,000,000;

"$756,522 if such population is 15,000,000 but less than 17,000,000;

"$791,820 if such population is 17,000,000 but less than 19,000,000;

"$818,214 if such population is 19,000,000 but less than 21,000,000;

"$844,608 if such population is 21,000,000 or more."

Subsec. (d)(2). Figures "$1,113", "$25,440", "$43,407", and "$45,315" to be deemed to refer, effective Oct. 1, 1976, to the figures "$1,169", "$27,221", "$47,929", and "$50,100", respectively, see section 6(c)(1) of the Salary Directive of the President pro tempore of the Senate, Oct. 8, 1976, set out as a note under section 60a–1 of this title.

Subsec. (e). Figures "$18,762", "$27,666", "$44,679", "$46,587", and "$48,653" to be deemed to refer, effective Oct. 1, 1976, to the figures "$19,706", "$29,726", "$49,432", "$51,436", and "$54,275", respectively, see section 5(b)(1), (2), of the Salary Directive of the President pro tempore of the Senate, Oct. 8, 1976, set out as a note under section 60a–1 of this title.

Subsec. (f). Figures "$1,113" and "$48,654" to be deemed to refer, effective Oct. 1, 1976, to the figures "$1,169" and "$54,275", respectively, see section 7(a), (b)(1), of the Salary Directive of the President pro tempore of the Senate, Oct. 8, 1976, set out as a note under section 60a–1 of this title.

1975—Subsec. (a)(1). Figure "$159" was substituted for figure "$151" to reflect the use of the figure "$159" as the multiple used for determining the general upward revision of salaries by the Salary Directive of the President pro tempore of the Senate, Oct. 2, 1975, set out as a note under section 60a–1 of this title.

Subsec. (d)(1)(A). The table was revised upward, effective Oct. 1, 1975, by section 6(b) of the Salary Directive of the President pro tempore of the Senate, Oct. 2, 1975, set out as a note under section 60a–1 of this title. Prior to such upward revision, the table was set out as follows:

"$392,298 if the population of his State is less than 2,000,000;

"$404,076 if such population is 2,000,000 but less than 3,000,000;

"$432,464 if such population is 3,000,000 but less than 4,000,000;

"$496,006 if such population is 4,000,000 but less than 5,000,000;

"$498,904 if such population is 5,000,000 but less than 7,000,000;

"$530,312 if such population is 7,000,000 but less than 9,000,000;

"$564,438 if such population is 9,000,000 but less than 10,000,000;

"$590,712 if such population is 10,000,000 but less than 11,000,000;

"$625,140 if such population is 11,000,000 but less than 12,000,000;

"$651,414 if such population is 12,000,000 but less than 13,000,000;

"$684,936 if such population is 13,000,000 but less than 15,000,000;

"$718,458 if such population is 15,000,000 but less than 17,000,000;

"$751,980 if such population is 17,000,000 but less than 19,000,000;

"$777,050 if such population is 19,000,000 but less than 21,000,000;

"$802,120 if such population is 21,000,000 or more."

Pub. L. 94-59 revised upward, effective July 1, 1975, the table covering the aggregate gross compensation paid employees in the office of a Senator, which for the period commencing Oct. 1, 1974, read as follows:

"$392,298 if the population of his State is less than 2,000,000;

"$404,076 if such population is 2,000,000 but less than 3,000,000;

"$432,464 if such population is 3,000,000 but less than 4,000,000;

"$496,006 if such population is 4,000,000 but less than 5,000,000;

"$498,904 if such population is 5,000,000 but less than 7,000,000;

"$530,312 if such population is 7,000,000 but less than 9,000,000;

"$564,438 if such population is 9,000,000 but less than 10,000,000;

"$590,712 if such population is 10,000,000 but less than 11,000,000;

"$625,140 if such population is 11,000,000 but less than 12,000,000;

"$651,414 if such population is 12,000,000 but less than 13,000,000;

"$684,936 if such population is 13,000,000 but less than 15,000,000;

"$718,548 if such population is 15,000,000 but less than 17,000,000;

"$751,980 if such population is 17,000,000 or more."

Subsec. (d)(2). Figures "$1,057", "$24,160", "$41,223", and "$43,035" to be deemed to refer, effective Oct. 1, 1975, to the figures "$1,113", "$25,440", "$43,407", and "$45,315", respectively, see section 6(c)(1) of the Salary Directive of the President pro tempore of the Senate, Oct. 2, 1975, set out as a note under section 60a–1 of this title.

Subsec. (e). Figures "$17,818", "$26,274", "$42,431", "$44,243", and "$46,206" to be deemed to refer, effective Oct. 1, 1975, to the figures "$18,762", "$27,666", "$44,679", "$46,587", and "$48,653", respectively, see section 5(b)(1), (2), of the Salary Directive of the President pro tempore of the Senate, Oct. 2, 1975, set out as a note under section 60a–1 of this title.

Subsec. (f). Figures "$1,057" and "$46,206" to be deemed to refer, effective Oct. 1, 1975, to the figures "$1,113" and "$48,654", respectively, see section 7(a), (b)(1), of the Salary Directive of the President pro tempore of the Senate, Oct. 2, 1975, set out as a note under section 60a–1 of this title.

1974—Subsec. (a)(1). Figure "$151" was substituted for figure "$285" to reflect the use of the figure "$151" as the multiple for determining the general upward revision of salaries by the Salary Directive of the President pro tempore of the Senate, Oct. 7, 1974, set out as a note under section 60a–1 of this title.

Subsec. (d)(1)(A). The table was revised upward, effective Oct. 1, 1974, by section 6(b) of the Salary Directive of the President pro tempore of the Senate, Oct. 7, 1974, set out as a note under section 60a–1 of this title. Prior to such upward revision, the table was set out as follows:

"$370,215 if the population of his State is less than 2,000,000;

"$381,330 if such population is 2,000,000 but less than 3,000,000;

"$408,120 if such population is 3,000,000 but less than 4,000,000;

"$442,605 if such population is 4,000,000 but less than 5,000,000;

"$470,820 if such population is 5,000,000 but less than $7,000,000;

"$500,460 if such population is 7,000,000 but less than 9,000,000;

"$532,665 if such population is 9,000,000 but less than 10,000,000;

"$557,460 if such population is 10,000,000 but less than 11,000,000;

"$589,950 if such population is 11,000,000 but less than 12,000,000;

"$614,745 if such population is 12,000,000 but less than 13,000,000;

"$646,380 if such population is 13,000,000 but less than 15,000,000;

"$678,015 if such population is 15,000,000 but less than 17,000,000;

"$709,650 if such population is 17,000,000 or more."

Pub. L. 93-371, revised upward, effective July 1, 1974, the table covering the aggregate per annum gross rates of compensation of employees in the office of a Senator, which for a period commencing Oct. 1, 1973, read as follows:

"$369,075 if the population of his State is less than 2,000,000;

"$380,190 if such population is 2,000,000 but less than 3,000,000;

"$406,980 if such population is 3,000,000 but less than 4,000,000;

"$441,465 if such population is 4,000,000 but less than 5,000,000;

"$469,680 if such population is 5,000,000 but less than 7,000,000;

"$499,320 if such population is 7,000,000 but less than 9,000,000;

"$531,525 if such population is 9,000,000 but less than 10,000,000;

"$556,320 if such population is 10,000,000 but less than 11,000,000;

"$588,810 if such population is 11,000,000 but less than 12,000,000;

"$613,065 if such population is 12,000,000 but less than 13,000,000;

"$645,240 if such population is 13,000,000 but less than 15,000,000;

"$676,875 if such population is 15,000,000 but less than 17,000,000;

"$708,510 if such population is 17,000,000 or more."

Subsec. (d)(2). Figures "$1,140," "$22,800," "$39,045," and "$40,755" to be deemed to refer, effective Oct. 1, 1974, to the figures "$1,057," "$24,160," "$41,223," and "$43,035," respectively, see section 6(c)(1) of the Salary Directive of the President pro tempore of the Senate, Oct. 7, 1974, set out as a note under section 60a-1 of this title.

Subsec. (e). Figures "$16,815," "$24,795," "$40,185," "$41,895," and "$43,890" to be deemed to refer, effective Oct. 1, 1974, to the figures "$17,818," "$26,274," "$42,431," "$44,243," and "$46,206," respectively, see section 5(b)(1), (2), of the Salary Directive of the President pro tempore of the Senate, Oct. 7, 1974, set out as a note under section 60a-1 of this title.

Subsec. (e)(1). Pub. L. 93-245 and Pub. L. 93-255 substituted "at not to exceed" for "ranging from $18,525 to".

Subsec. (e)(2)(A). Pub. L. 93-245 substituted "not to exceed" for "$8,265 to".

Subsec. (e)(2)(B). Pub. L. 93-245 substituted "not to exceed" for "$18,240 to", "$14,250 to", and "$8,265 to".

Subsec. (f). Figures "$1,140" and "$43,890" to be deemed to refer, effective Oct. 1, 1974, to the figures "$1,057" and "$46,206," respectively, see section 7(a), (b)(1), of the Salary Directive of the President pro tempore of the Senate, Oct. 7, 1974, set out as a note under section 60a-1 of this title.

1973—Subsec. (a)(1). Figure "$285" was substituted for figure "$272" to reflect the use of the figure "$285" as the multiple for determining the general upward revision of salaries by the Salary Directive of the President pro tempore of the Senate, Oct. 4, 1973, set out as a note under section 60a-1 of this title.

Subsec. (d)(1). The table was revised upward, effective Oct. 1, 1973, pursuant to Pub. L. 91-656, see section 6(b) of the Salary Directive of the President pro tempore of the Senate, Oct. 4, 1973, set out under section 60a-1 of this title. Prior to such upward revision, the table was set out as follows:

"$352,240 if the population of his State is less than 2,000,000;

"$362,848 if such population is 2,000,000 but less than 3,000,000;

"$388,416 if such population is 3,000,000 but less than 4,000,000;

"$421,328 if such population is 4,000,000 but less than 5,000,000;

"$448,256 if such population is 5,000,000 but less than 7,000,000;

"$476,544 if such population is 7,000,000 but less than 9,000,000;

"$507,280 if such population is 9,000,000 but less than 10,000,000;

"$530,944 if such population is 10,000,000 but less than 11,000,000;

"$561,952 if such population is 11,000,000 but less than 12,000,000;

"$585,616 if such population is 12,000,000 but less than 13,000,000;

"$615,808 if such population is 13,000,000 but less than 15,000,000;

"$646,000 if such population is 15,000,000 but less than 17,000,000;

"$676,192 if such population is 17,000,000 or more."

Pub. L. 93-145 revised upward, retroactive to July 1, 1973, the table covering the aggregate per annum gross rates of compensation of employees in the office of a Senator and, effective Jan. 1, 1974, designated such revised table as subpar. (A), added subpar. (B), and in subpar. (A) as so designated added following the table provisions covering calendar years in which a Senator does not hold the office of Senator at least part of each month for that year. Prior to the upward revision, the table was set out as follows:

"$295,938 if the population of his State is less than 3,000,000;

"$321,768 if such population is 3,000,000 but less than 4,000,000;

"$345,138 if such population is 4,000,000 but less than 5,000,000;

"$362,850 if such population is 5,000,000 but less than 7,000,000;

"$382,038 if such population is 7,000,000 but less than 9,000,000;

"$403,440 if such population is 9,000,000 but less than 10,000,000;

"$424,842 if such population is 10,000,000 but less than 11,000,000;

"$446,244 if such population is 11,000,000 but less than 12,000,000;

"$467,646 if such population is 12,000,000 but less than 13,000,000;

"$488,556 if such population is 13,000,000 but less than 15,000,000;

"$509,466 if such population is 15,000,000 but less than 17,000,000;

"$530,130 if such population is 17,000,000 or more."

Subsec. (d)(2). Salary dollar limits were modified upward, effective Oct. 1, 1973, so as to substitute "$1,140" for "$1,128", "$22,800" for "$15,040", "$39,045" for "$24,400", and "$40,755" for "$25,568" pursuant to Pub. L. 91-656, see Salary Directive of the President pro tempore of the Senate, Oct. 4, 1973, set out under section 60a-1 of this title.

Pub. L. 93-145 raised from $23,652 to $24,400 in the case of two employees and from $23,312 to $24,400 in

the case of one employee the maximum figure at which the salaries of such employees in a Senator's office may be set, raising thereby from two to five the number of employees in a Senator's office whose gross rates salary may be fixed at $24,400 per annum.

Subsec. (e). Figures "$18,525", "$40,185", "$8,265", "$14,250", "$24,795", "$16,815", "$18,240", "$41,895", and "$43,890" were substituted for figures "$18,496", "$38,352", "$8,160", "$14,144", "$23,664", "$16,048", "$18,224", "$39,984", and "$41,616", respectively, pursuant to Pub. L. 91-656, see section 5(b) of the Salary Directive of the President pro tempore of the Senate, Oct. 4, 1973, set out under section 60a-1 of this title, which directed that the latter set of figures enumerated herein as appearing in subsec. (e) be deemed to refer to the former set of enumerated figures, effective Oct. 1, 1973.

Subsec. (e)(2)(B). Pub. L. 93-145 substituted "$18,224" for "$20,400".

Subsec. (f). Figures "$1,140" and "$43,890" were substituted for "$1,088" and "$41,616", respectively, pursuant to Pub. L. 91-656, see section 7 of the Salary Directive of the President pro tempore of the Senate, Oct. 4, 1973, set out as a note under section 60a-1 of this title, under which the latter enumerated figures were to be deemed to refer to the former enumerated figures, effective Oct. 1, 1973.

1972—Subsec. (a)(1). Figure "$272" was substituted for figure "$259" to reflect the use of the figure "$272" as the multiple for determining the general upward revision of salaries by the Salary Directive of the President pro tempore of the Senate, Dec. 16, 1972, set out as a note under section 60a-1 of this title.

Subsec. (d)(1). The table was revised upward, effective Jan. 1, 1973, by Salary Directive of the President pro tempore of the Senate, Dec. 16, 1972. Prior to such upward revision, the table was set out as follows:

"$311,577 if the population of his State is less than 3,000,000;

"$338,772 if such population is 3,000,000 but less than 4,000,000;

"$363,377 if such population is 4,000,000 but less than 5,000,000;

"$382,025 if such population is 5,000,000 but less than 7,000,000;

"$402,227 if such population is 7,000,000 but less than 9,000,000;

"$424,760 if such population is 9,000,000 but less than 10,000,000;

"$447,293 if such population is 10,000,000 but less than 11,000,000;

"$469,826 if such population is 11,000,000 but less than 12,000,000;

"$492,359 if such population is 12,000,000 but less than 13,000,000;

"$514,374 if such population is 13,000,000 but less than 15,000,000;

"$536,389 if such population is 15,000,000 but less than 17,000,000;

"$558,145 if such population is 17,000,000 or more.".

Subsec. (d)(2). Figures "$1,295," "$20,720," "$27,972," "$33,929," "$35,483," and "$37,037" to be deemed to refer, effective Jan. 1, 1973, to the figures "$1,088," "$21,760," "$29,376," "$35,632," "$37,264," and "$38,896," respectively, see section 6(c) of the Salary Directive of the President pro tempore of the Senate, Dec. 16, 1972, set out as a note under section 60a-1 of this title.

Subsec. (e). Figures "$8,288," "$15,281," "$14,245," "$18,648," "$22,533," "$20,461," "$36,519," "$38,073," and "$39,627" to be deemed to refer, effective Jan. 1, 1973, to the figures "$8,160," "$16,048," "$14,144," "$18,496," "$23,664," "$20,400," "$38,352," "$39,984," and "$41,616," respectively, see section 5(b) of the Salary Directive of the President pro tempore of the Senate, Dec. 16, 1972, set out as a note under section 60a-1 of this title.

Pub. L. 92-607 substituted "three such employees" for "two such employees" in par. (3)(B).

Subsec. (f). Figures "$1,088" and "$41,616" were substituted for "$1,295" and "$39,627", respectively, pursuant to Pub. L. 91-656, see section 7 of the Salary Directive of the President pro tempore of the Senate, Dec. 16, 1972, set out as a note under section 60a-1 of this title, under which the latter enumerated figures were to be deemed to refer to the former enumerated figures.

1971—Subsec. (a)(1). Figure "$259" was substituted for figure "$246" to reflect the use of the figure "$259" as the multiple for determining the general upward revision of salaries by the Salary Directive of the President pro tempore of the Senate, Dec. 23, 1971, set out as a note under section 60a-1 of this title.

Figure "$246" was substituted for figure "$188" to reflect the use of the figure "$246" as the multiple for determining the general upward revision of salaries by the Salary Directive of the President pro tempore of the Senate, Jan. 15, 1971, set out as a note under section 60a-1 of this title.

Subsec. (d)(1). The table was revised upward, effective Jan. 1, 1972, by the Salary Directive of the President pro tempore of the Senate, Dec. 23, 1971, set out as a note under section 60a-1 of this title. Prior to such upward revision, the table was set out as follows:

"$295,938 if the population of his State is less than 3,000,000;

"$321,768 if such population is 3,000,000 but less than 4,000,000;

"$345,138 if such population is 4,000,000 but less than 5,000,000;

"$362,850 if such population is 5,000,000 but less than 7,000,000;

"$382,038 if such population is 7,000,000 but less than 9,000,000;

"$403,440 if such population is 9,000,000 but less than 10,000,000;

"$424,842 if such population is 10,000,000 but less than 11,000,000;

"$446,244 if such population is 11,000,000 but less than 12,000,000;

"$467,646 if such population is 12,000,000 but less than 13,000,000;

"$488,556 if such population is 13,000,000 but less than 15,000,000;

"$509,466 if such population is 15,000,000 but less than 17,000,000;

"$530,130 if such population is 17,000,000 or more.".

Pub. L. 92-184 revised upward, effective Jan. 1, 1972, the table covering the aggregate per annum gross rates of compensation of employees in the office of a Senator. Prior thereto the table was set out as follows:

"$295,938 if the population of his State is less than 3,000,000;

"$313,158 if such population is 3,000,000 but less than 4,000,000;

"$327,918 if such population is 4,000,000 but less than 5,000,000;

"$341,448 if such population is 5,000,000 but less than 7,000,000;

"$356,208 if such population is 7,000,000 but less than 9,000,000;

"$373,428 if such population is 9,000,000 but less than 10,000,000;

"$390,648 if such population is 10,000,000 but less than 11,000,000;

"$407,868 if such population is 11,000,000 but less than 12,000,000;

"$425,088 if such population is 12,000,000 but less than 13,000,000;

"$442,308 if such population is 13,000,000 but less than 15,000,000;

"$459,528 if such population is 15,000,000 but less than 17,000,000;

"$477,978 if such population is 17,000,000 or more.".

The table was revised upward, effective Feb. 1, 1971, by the Salary Directive of the President pro tempore of the Senate, Jan. 15, 1971, set out as a note under section 60a-1 of this title. Prior to such upward revision, the table was set out as follows:

"$239,805 if the population of his State is less than 3,000,000;

"$255,135 if such population is 3,000,000 but less than 4,000,000;

"$268,275 if such population is 4,000,000 but less than 5,000,000;

"$280,320 if such population is 5,000,000 but less than 7,000,000;

"$293,460 if such population is 7,000,000 but less than 9,000,000;

"$308,790 if such population is 9,000,000 but less than 10,000,000;

"$324,120 if such population is 10,000,000 but less than 11,000,000;

"$339,450 if such population is 11,000,000 but less than 12,000,000;

"$354,780 if such population is 12,000,000 but less than 13,000,000;

"$370,110 if such population is 13,000,000 but less than 15,000,000;

"$385,440 if such population is 15,000,000 but less than 17,000,000;

"$401,865 if such population is 17,000,000 or more.".

Subsec. (d)(2). Figures "$1,230", "$19,680", "$26,568", "$32,226", "$33,702", "$35,178" to be deemed to refer, effective Jan. 1, 1972, to the figures "$1,295", "$20,720", "$27,972", "$33,929", "$35,483", and "$37,037", respectfully, see section 6(c) of the Salary Directive of the President pro tempore of the Senate, Dec. 23, 1971, set out as a note under section 60a–1 of this title.

Figures "$1,095", "$17,520", "$23,652", "$28,689", "$30,003", and "$31,317" to be deemed to refer, effective Feb. 1, 1971, to the figures "$1,230", "$19,680", "$26,568", "$32,226", "$33,702", and "$35,178", respectively, see section 6(c) of the Salary Directive of the President pro tempore of the Senate, Jan. 15, 1971, set out as a note under section 60a–1 of this title.

Subsec. (e). Figures "$8,118", "$14,514", "$14,022", "$18,450", "$21,402", "$20,418", "$32,712", "$34,104", and "$35,496" to be deemed to refer, effective Jan. 1, 1972, to the figures "$8,288", "$15,281", "$14,245", "$18,648", "$22,533", "$20,461", "$36,519", "$38,073", and "$39,627", respectively, see section 5(b) of the Salary Directive of the President pro tempore of the Senate, Dec. 23, 1971, set out as a note under section 60a–1 of this title.

Figures "$7,888", "$13,688", "$13,920", "$18,328", "$20,184", "$20,416", "$32,712", "$34,014", and "$35,496" to be deemed to refer, effective Feb. 1, 1971, to the figures "$8,118", "$14,514", "$14,022", "$18,450", "$21,402", "$30,418", "$32,712", "$34,014", and "$35,496", respectively, see section 5(b) of the Salary Directive of the President pro tempore of the Senate, Jan. 15, 1971, set out as a note under section 60a–1 of this title.

Subsec. (f). Figures "$1,230" and "$35,670" to be deemed to refer, effective Jan. 1, 1972, to the figures "$1,295" and "$39,627", respectively, see section 7 of the Salary Directive of the President pro tempore of the Senate, Dec. 23, 1971, set out as a note under section 60a–1 of this title.

Figures "$1,160" and "$35,496" to be deemed to refer, effective Feb. 1, 1971, to the figures "$1,230" and "$35,670", respectively, see section 7 of the Salary Directive of the President pro tempore of the Senate, Jan. 15, 1971, set out as a note under section 60a–1 of this title.

1970—Subsec. (e)(1). Pub. L. 91-510 increased range of gross annual compensation of professional staff members from "$14,852 to $23,312" to "$18,328 to $32,712".

Subsec. (e)(2). Pub. L. 91-510 increased range of gross compensation of clerical staff in subpar. (A) for chief clerk and assistant chief clerk from "$6,392 to $23,312" to "$7,888 to $32,712" and for other clerical assistants from "$6,392 to $11,092" to "$7,888 to $13,688" and in subpar. (B) for chief clerk, assistant chief clerk, and assistant clerks from "$16,544 to $23,312" to "$20,416 to $32,712", for necessary assistant clerks from "$11,280 to $16,356" to "$13,920 to $20,184", and for other necessary clerical assistants from "$6,392 to $11,092" to "$7,888 to $13,688".

Subsec. (e)(3). Pub. L. 91-510 increased gross rate of compensation from "$23,312" to "$32,712" per annum for certain employees of any standing or select committee of the Senate or joint committee expenses of which are paid from contingent fund of the Senate, in subpar. (A) for employees of any such committee from "$24,400" for two employees to "$34,104" for four employees and from "$25,568" for one employee to "$35,496" for two employees, and in subpar. (B) for employees of Committee on Appropriation from "$24,400" for seventeen employees to "$34,104" for sixteen employees and from "$25,568" for one employee to "$35,496" for two employees.

Subsec. (f). Pub. L. 91-510 increased minimum and maximum gross compensation limitation from "$1,128" and "$25,568" to "$1,160" and "$35,496", respectively, and deleted sentence providing that in any case in which the fixing of any salary rate in multiples as required by this section would result in a rate in excess of the maximum rate specified in this subsection, the rate so fixed shall be reduced to such maximum rate.

1969—Subsec. (d)(1). Pub. L. 91-145 increased the amounts in the table providing for Senators' clerk hire allowances by $23,652. The table had previously been affected as provided in the 1969 and 1968 Increases in Compensation of Employees notes, set out under section 60a of this title.

Subsec. (d)(2)(i). Pub. L. 91-145 substituted authorization for fixing the salary of two employees at gross rates of not more than $23,652 per annum for prior authorization for fixing the salary of one employee at a gross rate of not more than $18,988 per annum.

1967—Subsec. (a)(1). Pub. L. 90-206, § 214(j), substituted "$188" for "$180".

Subsec. (d)(1) Pub. L. 90-206, § 214(k), increased the aggregate amount of the per annum gross rates of compensation of employees in the office of a Senator. The aggregate amount in effect prior to the enactment of Pub. L. 90-206 was:

"$190,800 if the population of his State is less than 3,000,000;

"$203,400 if such population is 3,000,000 but less than 4,000,000;

"$214,200 if such population is 4,000,000 but less than 5,000,000;

"$224,100 if such population is 5,000,000 but less than 7,000,000;

"$234,900 if such population is 7,000,000 but less than 9,000,000;

"$247,500 if such population is 9,000,000 but less than 10,000,000;

"$260,100 if such population is 10,000,000 but less than 11,000,000;

"$272,700 if such population is 11,000,000 but less than 12,000,000;

"$285,300 if such population is 12,000,000 but less than 13,000,000;

"$297,900 if such population is 13,000,000 but less than 15,000,000;

"$310,500 if such population is 15,000,000 but less than 17,000,000; or

"$324,000 if such population is 17,000,000 or more."

Subsecs. (d)(2) to (f). Pub. L. 90-206, § 214(l), substituted "$1,128", "$6,392", "$11,092", "$11,280", "$14,852", "$15,040", "$16,356", "$16,544", "$18,988", "$23,312", "$24,440", and "$25,568" for "$1,080", "$6,120", "$10,620", "$10,800", "$14,220", "$14,400", "$15,660", "$15,840", "$18,180", "$22,320", "$23,400", and "$24,480", respectively, wherever appearing.

EFFECTIVE DATE OF 1976 AMENDMENT

Section 101(a) of Pub. L. 94-440 provided in part that the amendment by Pub. L. 94-440 is effective Oct. 1, 1976.

EFFECTIVE DATE OF 1974 AMENDMENT

Section 101(6) of Pub. L. 93-371 provided in part that the amendment by section 101(6) of Pub. L. 93-371 is effective July 1, 1974.

EFFECTIVE DATE OF 1973 AMENDMENT

Section 101 of Pub. L. 93-145 provided in part that the upward revision of the table in subsec. (d)(1) and the amendment of subsec. (d)(2) of this section are effective July 1, 1973, but that the remaining amendments of subsec. (d)(1) by Pub. L. 93-145 [which designated the revised table as subpar. (A), added provisions following the table in such redesignated subpar. (A), and added subpar. (B)] are effective Jan. 1, 1974.

EFFECTIVE DATE OF 1971 AMENDMENT

Section 401 of Pub. L. 92-184 provided in part that the amendment by Pub. L. 92-184 is effective Jan. 1, 1972.

EFFECTIVE DATE OF 1970 AMENDMENT

Amendment by Pub. L. 91-510 effective on Jan. 1, 1971, see section 601(6) of Pub. L. 91-510, set out as a note under section 72a of this title.

EFFECTIVE DATE OF 1969 AMENDMENT

Section 101 of Pub. L. 91-145 provided in part that the amendment of subsec. (d)(1) and (2)(i) of this section by Pub. L. 91-145 shall be effective Nov. 1, 1969.

EFFECTIVE DATE OF 1967 AMENDMENT

Amendment by Pub. L. 90-206 effective at the beginning of the first pay period which begins on or after Dec. 16, 1967, see section 220(a) (3) of Pub. L. 90-206, set out as a note under section 603 of Title 28, Judiciary and Judicial Procedure.

EFFECTIVE DATE

Section 105(k) of Pub. L. 90-57 provided that: "This section [which enacted this section, amended section 60j(b) of this title and section 5533(c) of Title 5, repealed sections 60f, 72a-1, 72a-1a, and 72a-4 of this title and amended provisions set out as notes under section 60a-1 of this title] shall be effective from and after August 1, 1967."

1975 ADJUSTMENTS IN COMPENSATION IN MAXIMUM ANNUAL RATES TO EMPLOYEES IN OFFICES OF SENATORS, EMPLOYEES OF SENATORS, EMPLOYEES OF STANDING AND SELECT COMMITTEES AND JOINT COMMITTEES THE EXPENSES OF WHICH ARE PAID FROM THE CONTINGENT FUND OF THE SENATE, AND OFFICERS OR EMPLOYEES WHOSE COMPENSATION IS DISBURSED BY THE SECRETARY OF THE SENATE

Pub. L. 94-59, title I, § 105, July 25, 1975, 89 Stat. 275, as amended by Pub. L. 94-157, title I, § 111(a), Dec. 18, 1975, 89 Stat. 832, provided in part that, effective July 1, 1975: "The two committee employees referred to in clause (A), and the three committee employees referred to in clause (B), of section 105(e)(3) of the Legislative Branch Appropriations Act, 1968, as amended and modified [subsec. (e)(3) of this section], whose salaries are appropriated under the heading 'Salaries, Officers and Employees' for 'Committee Employees' for the Senate during any fiscal year, and the two employees referred to in such clause (A) who are employees of any joint committee having legislative authority, may each be paid at a maximum annual rate of compensation not to exceed $38,000, except that the Committee on Commerce is authorized to pay two employees, in addition to the two employees referred to in clause (A) of such section, at such maximum annual rate of compensation during the fiscal year ending June 30, 1976, and the transition period ending September 30, 1976. The two committee employees, other than joint committee employees, referred to in clause (A) of section 105(e)(3) of such Act [subsec. (e)(3) of this section] whose salaries are not appropriated under such heading may each be paid at a maximum annual rate of compensation not to exceed $37,500, except, that the two employees of the majority policy committee and the two employees of the minority policy committee referred to in clause (A) of section 105(e)(3) of such Act [subsec. (e)(3) of this section] may each be paid at a maximum annual rate of compensation not to exceed $38,000. The one employee in a Senator's office referred to in section 105(d)(2)(ii) of such Act [subsec. (d)(2)(ii) of this section] may be paid at a maximum annual rate of compensation not to exceed $38,000. Any officer or employee whose pay is subject to the maximum limitation referred to in section 105(f) of such Act [subsec. (f) of this section] may be paid at a maximum annual rate of compensation not to exceed $38,000. This section does not supersede (1) any provision of an order of the President pro tempore of the Senate authorizing a higher rate of compensation, and (2) any authority of the President pro tempore to adjust rates of compensation or limitations referred to in this paragraph under section 4 of the Federal Pay Comparability Act of 1970 [section 60a-1 of this title]."

Section 111(c) of Pub. L. 94-157 provided in part that amendment by section 111(a) of Pub. L. 94-157 inserting after "fiscal year" the words ", and the two employees referred to in such clause (A) who are employees of any joint committee having legislative authority," shall become effective Jan. 1, 1976, and no increase in salary shall be payable for any period prior to such date by reason of the amendment.

LIMITATIONS ON 1976 INCREASES IN MAXIMUM ANNUAL RATES TO STAFF MEMBERS OF STANDING COMMITTEES, SPECIAL OR SELECT COMMITTEES, AND JOINT COMMITTEES WHOSE FUNDS ARE DISBURSED BY THE SECRETARY OF THE SENATE

Section 5(b)(3)-(6) of the Salary Directive of the President pro tempore of the Senate, Oct. 8, 1976, set out as a note under section 60a-1 of this title, provided, notwithstanding the rate increases mandated by section 5(b)(2) of that Directive, that any individual occupying a position on the staff of a standing committee of the Senate or the majority or minority policy committee of the Senate to which any such rate applies or to any position to which such rate was made applicable by section 110(b) of title I of the Legislative Branch Appropriation Act, 1977, shall not be paid at any time at an annual rate in excess of $37,742, $39,412, or $41,750, respectively, as long as the annual rate of basic pay for positions in level III of the Executive Schedule under section 5314 of Title 5 is $44,000, that when the annual rate for such level III is increased to more than $44,000, but less than $52,000, an individual occupying a position on the staff of any such committee (i) to which the rate "$49,432" applies shall not be paid at any time at an annual rate in excess of $44,088, (ii) to which the rate "$51,436" applies shall not be paid at any time at an annual rate in excess of $46,259, and (iii) to which the rate "$54,275" applies shall not be paid at any time at an annual rate in excess of $48,931, except that such annual rates of compensation shall not exceed, at any time, the next lowest multiple of $167 which is at least $6,000, $4,600, and $2,000, respectively, less than the annual rate of compensation, which is now or may hereafter be in effect, for those positions referred to in section 2(a) of the Directive, that any individual occupying a position on the staff of any special or select committee of the Senate and the conference majority and conference minority of the Senate to which any such rate applies shall not be paid at any time at an annual rate in excess of $37,742, $39,412, or $41,249, respectively, as long as the annual rate of basic pay for positions in such level III is $44,000, that when the annual rate for such level III is increased to more than $44,000 but less than $52,000, an individual occupying a position on the staff of any such committee (i) to which the rate "$49,432" applies shall not be paid at any time at an annual rate in excess of $44,088, (ii) to which the rate "$51,436" applies shall not be paid at any time at an annual rate in excess of $46,259, and (iii) to which the rate "$54,275" applies shall not be paid at any time at an annual rate in excess of $48,430, except that such annual rates of compensation shall not exceed, at any time, the next lowest multiple of $167 which is at least $6,000, $4,600, and $2,500, respective-

ly, less than the annual rate of compensation, which is now or may hereafter be in effect, for those positions referred to in section 2(a) of the Directive, that any individual occupying a position on the staff of any joint committee of the Congress having legislative authority and whose funds are disbursed by the Secretary of the Senate to which any such rate applies shall not be paid at any time at an annual rate in excess of $37,742, $39,412, or $41,750, respectively, as long as the annual rate of basic pay for positions in such level III is $44,000, that when the annual rate for such level III is increased to more than $44,000, but less than $52,000, an individual occupying a position on the staff of any such joint committee (i) to which the rate "$49,432" applies shall not be paid at any time at an annual rate in excess of $44,088, (ii) to which the rate "$51,436" applies shall not be paid at any time at an annual rate in excess of $46,259, and (iii) to which the rate "$54,275" applies shall not be paid at any time at an annual rate in excess of $48,931, except that such annual rates of compensation shall not exceed, at any time, the next lowest multiple of $167 which is at least $6,000, $4,600, and $2,000, respectively, less than the annual rate of compensation, which is now or may hereafter be in effect, for those positions referred to in section 2(a) of the Directive, that any individual occupying a position on the staff of any joint committee of the Congress (other than those joint committees having legislative authority) whose funds are disbursed by the Secretary of the Senate to which any such rate applies shall not be paid at any time at an annual rate in excess of $37,742, $38,577, or $39,746, respectively, as long as the annual rate of basic pay for positions in such level III is $44,000, and that when the annual rate for such level III is increased to more than $44,000, but less than $52,000, an individual occupying a position on the staff of any such joint committee (i) to which the rate "$49,432" applies shall not be paid at any time at an annual rate in excess of $44,088, (ii) to which the rate "$51,436" applies shall not be paid at any time at an annual rate in excess of $46,002, and (iii) to which the rate "$54,275" applies shall not be paid at any time at an annual rate in excess of $47,762, except that such annual rates of compensation shall not exceed, at any time, the next lowest multiple of $167 which is at least $6,000, $4,800, and $3,000, respectively, less than the annual rate of compensation, which is now or may hereafter be in effect, for those positions referred to in section 2(a) of the Directive.

Limitations on 1975 Increases in Maximum Annual Rates to Professional Staff and Clerical Staff Members of Standing Committees, Employees of Standing and Select Committees, and Joint Committees Whose Expenses are Paid From the Contingent Fund of the Senate

Section 5(b)(3)-(5) of the Salary Directive of the President pro tempore of the Senate, Oct. 2, 1975, set out as a note under section 60a-1 of this title, provided that, notwithstanding the rate increases mandated by section 5(b)(2) of that Directive, any individual occupying a position on the staff of a standing committee of the Senate or the majority or minority policy committee of the Senate to which any such rate applies or to any position to which such rate was made applicable by section 105 of title I of the Legislative Branch Appropriation Act, 1976, Pub. L. 84-59, set out in part as a note under this section, shall not be paid at any time at an annual rate in excess of $35,775, $37,524, or $39,909, respectively, as long as the annual rate of basic pay for positions in level III of the Executive Schedule under section 5314 of Title 5 is $42,000, that when the annual rate of such level III is increased to more than $42,000, but less than $48,000, an individual occupying a position on the staff of any such committee (i) to which the rate "$44,679" applies shall not be paid at any time at an annual rate in excess of $40,545, (ii) to which the rate "$46,587" applies shall not be paid at any time at an annual rate in excess of $42,612, and (iii) to which the rate "$48,654" applies shall not be paid at any time at an annual rate in excess of $45,156, except that the annual rate of compensation shall not exceed, at any time, the next lowest multiple of $159 which is at least $1,700 less than the annual rate of compensation, which is now or may hereafter be in effect, for those positions referred to in section 2(a) of the Order, that any individual occupying a position on the staff of any special or select committee of the Senate and the conference majority and conference minority of the Senate to which any such rate applies shall not be paid at any time at an annual rate in excess of $35,775, $37,524, or $39,432, respectively, as long as the annual rate of basic pay for positions in such level III is $42,000, when the annual rate of such level III is increased to more than $42,000, but less than $48,000, an individual occupying a position on the staff of any such committee (i) to which the rate "$44,679" applies shall not be paid at any time at an annual rate in excess of $39,909, (ii) to which the rate "$46,587" applies shall not be paid at any time at an annual rate in excess of $41,976, and (iii) to which the rate "$48,654" applies shall not be paid at any time at an annual rate in excess of $44,520, except that the annual rate of compensation shall not exceed, at any time, the next lowest multiple of $159 which is at least $2,300 less than the annual rate of compensation, which is now or may hereafter be in effect, for those positions referred to in section 2(a) of the Order, that any individual occupying a position on the staff of any joint committee of the Congress whose funds are disbursed by the Secretary of the Senate to which any such rate applies shall not be paid at any time at an annual rate in excess of $35,775, $36,729, or $37,842, respectively, as long as the annual rate of basic pay for positions in such level III is $42,000, and that when the annual rate for such level III is increased to more than $42,000, but less than $48,000, an individual occupying a position on the staff of any such joint committee (i) to which the rate "$44,679" applies shall not be paid at any time at an annual rate in excess of $39,909, (ii) to which the rate "$46,587" applies shall not be paid at any time at an annual rate in excess of $41,817, and (iii) to which the rate "$48,654" applies shall not be paid at any time at an annual rate in excess of $43,884, except that the annual rate of compensation shall not exceed, at any time, the next lowest multiple of $159 which is at least $3,000 less than the annual rate of compensation, which is now or may hereafter be in effect, for those positions referred to in section 2(a) of the Order.

Limitations of 1976 Increases in Maximum Annual Rates to Employees in the Offices of Senators

Section 6(c)(2), (3) of the Salary Directive of the President pro tempore of the Senate, Oct. 8, 1976, set out as a note under section 60a-1 of this title, provided, notwithstanding the rate increases mandated by section 6(c)(1) of that Directive, that any individual occupying a position to which a rate referred to in clause (i) or (ii) of such modification applies shall not be paid at any time at an annual rate exceeding $38,577 or $41,750, respectively, as long as the annual rate of basic pay for positions at level III of the Executive Schedule under section 5314 of Title 5 is $44,000, and that if the annual rate for such level III is increased to more than $44,000, but less than $52,000, an individual occupying a position to which a rate referred to in such clause (i) or (ii) applies shall not be paid at any time, by reason of the promulgation of this Order, at an annual rate in excess of (A) in the case of an individual to whom the rate under such clause (i) applies, $44,756, and (B) in the case of an individual to whom the rate under clause (ii) applies, $48,096, except that such annual rates of compensation shall not exceed, at any time, the next lowest multiple of $167 which is at least $5,500 and $2,500, respectively, less than the annual rate of compensation, which is now or may hereafter be in effect, for those positions referred to in section 2(a) of that Directive.

LIMITATIONS ON 1975 INCREASES IN MAXIMUM ANNUAL RATES TO EMPLOYEES IN THE OFFICES OF SENATORS

Section 6(c)(2), (3) of the Salary Directive of the President pro tempore of the Senate, Oct. 2, 1975, set out as a note under section 60a-1 of this title, provided that, notwithstanding the rate increases mandated by section 6(c)(1) of that Directive, any individual occupying a position to which a rate referred to in clause (i) or (ii) of such modification applies shall not be paid at any time at an annual rate exceeding $36,729 or $39,909, respectively, as long as the annual rate of basic pay for positions at level III of the Executive Schedule under section 5314 of Title 5 is $42,000, and that if the annual rate for such level III is increased to more than $42,000, but less than $48,000, an individual occupying a position to which a rate referred to in such clause (i) or (ii) applies shall not be paid at any time, by reason of the promulgation of the Order, at an annual rate in excess of (A) in the case of an individual to whom the rate under such clause (i) applies, $41,181, and (B) in the case of an individual to whom the rate under clause (ii) applies, $44,361, except that the annual rate of compensation shall not exceed, at any time, the next lowest multiple of $159 which is at least $2,500 less than the annual rate of compensation, which is now or may hereafter be in effect, for those positions referred to in section 2(a) of the Order.

LIMITATION ON 1976 INCREASE IN MAXIMUM ANNUAL RATE TO OFFICERS OR EMPLOYEES WHOSE COMPENSATION IS DISBURSED BY THE SECRETARY OF THE SENATE

Section 7(b)(2), (3) of the Salary Directive of the President pro tempore of the Senate, Oct. 8, 1976, set out as a note under section 60a-1 of this title, provided, notwithstanding the rate increase mandated by section 7(b)(1) of that Directive, that any individual occupying a position to which such rate applies shall not be paid at any time at an annual rate exceeding $41,750 as long as the annual rate of basic pay for positions at level III of the Executive Schedule under section 5314 of Title 5 is $44,000, and that when the annual rate for such level III is increased to more than $44,000, but less than $52,000, any individual occupying a position to which such rate applies shall not be paid at any time at an annual rate in excess of $48,326, except that the annual rate of compensation shall not exceed, at any time, the next lowest multiple of $167 which is at least $2,500 less than the annual rate of compensation, which is now or may hereafter be in effect, for those positions referred to in section 2(a) of that Directive.

LIMITATION ON 1975 INCREASE IN MAXIMUM ANNUAL RATE TO OFFICERS OR EMPLOYEES WHOSE COMPENSATION IS DISBURSED BY THE SECRETARY OF THE SENATE

Section 7(b)(2), (3) of the Salary Directive of the President pro tempore of the Senate, Oct. 2, 1975, set out as a note under section 60a-1 of this title, provided that, notwithstanding the rate increase mandated by section 7(b)(1) of that Directive, any individual occupying a position to which such rate applies (A) shall not be paid at any time at an annual rate exceeding $39,909 as long as the annual rate of basic pay for positions at level III of the Executive Schedule under section 5314 of Title 5 is $42,000, and that when the annual rate for such level III is increased to more than $42,000, but less than $48,000, any individual occupying a position to which such rate applies shall not be paid at any time at an annual rate in excess of $45,156, except that the annual rate of compensation shall not exceed, at any time, the next lowest multiple of $159 which is at least $1,700 less than the annual rate of compensation, which is now or may hereafter be in effect, for those positions referred to in section 2(a) of the Order.

1974 ADJUSTMENTS IN COMPENSATION IN MAXIMUM ANNUAL RATES TO EMPLOYEES IN OFFICES OF SENATORS, PROFESSIONAL STAFF AND CLERICAL STAFF MEMBERS OF STANDING COMMITTEES, EMPLOYEES OF STANDING AND SELECT COMMITTEES AND JOINT COMMITTEES THE EXPENSES OF WHICH ARE PAID FROM THE CONTINGENT FUND OF THE SENATE, AND OFFICERS OR EMPLOYEES WHOSE COMPENSATION IS DISBURSED BY THE SECRETARY OF THE SENATE

Pub. L. 93-371, § 101(4), Aug. 13, 1974, 88 Stat. 429, as amended by Pub. L. 94-157, title I, § 111(b), Dec. 18, 1975, 89 Stat. 832, provided in part that: "The two committee employees other than joint committee employees referred to in clause (A), and the three committee employees referred to in clause (B), of section 105(e)(3) of the Legislative Branch Appropriation Act, 1968, as amended and modified [subsec. (e)(3) of this section], may each be paid at a maximum annual rate of compensation not to exceed $37,050. The four committee employees other than joint committee employees, who are not employees of a joint committee having legislative authority, referred to in such clause (A) and the sixteen committee employees referred to in such clause (B) may each be paid at a maximum annual rate of compensation not to exceed $35,625. The one employee in a Senator's office referred to in section 105(d)(2)(ii) of such Act [subsec. (d)(2)(ii) of this section] may be paid at a maximum annual rate of compensation not to exceed $37,050. Any officer or employee whose pay is subject to the maximum limitation referred to in section 105(f) of such Act [subsec. (f) of this section] may be paid at a maximum annual rate of compensation not to exceed $37,050."

For provisions that section 101(4) of Pub. L. 93-371 [this note] do not supersede (1) any provision of an order of the President pro tempore of the Senate authorizing a higher rate of compensation, and (2) any authority of the President pro tempore to adjust rates and compensation or limitations referred to in this note under section 4 of the Federal Pay Comparability Act of 1970 [section 60a-1 of this title] and that the provisions of this note are effective July 1, 1974, see note under section 61a of this title.

Section 111(c) of Pub. L. 94-157 provided in part that amendment by section 111(b) of Pub. L. 94-157 inserting after "joint committee employees" the words ", who are not employees of a joint committee having legislative authority," shall become effective Jan. 1, 1976, and no increase in salary shall be payable for any period prior to such date by reason of the amendment.

LIMITATIONS ON 1974 INCREASES IN MAXIMUM ANNUAL RATES TO PROFESSIONAL STAFF AND CLERICAL STAFF MEMBERS OF STANDING COMMITTEES, EMPLOYEES OF STANDING AND SELECT COMMITTEES, AND JOINT COMMITTEES WHOSE EXPENSES ARE PAID FROM THE CONTINGENT FUND OF THE SENATE

Section 5(b)(3)-(5) of the Salary Directive of the President pro tempore of the Senate, Oct. 7, 1974, set out as a note under section 60a-1 of this title, provided that, notwithstanding the rate increase mandated by section 5(b)(2) of that Directive, any individual occupying a position to which any such rate applies shall not be paid at any time at an annual rate in excess of $33,975, $35,636, or $35,938, respectively, as long as the annual rate of basic pay for positions in level V of the Executive Schedule under section 5316 of Title 5 is less than $39,000, that if the annual rate for such level V is increased to $39,000 or more but less than $42,000, an individual occupying a position (A) to which the rate "$42,431" applies shall not be paid at any time at an annual rate in excess of $36,844, (B) to which the rate "$44,243" applies shall not have his compensation fixed at an annual rate in excess of $38,656, and (C) to which the rate "$46,206" applies shall not be paid at any time at an annual rate in excess of the lesser of $41,072 or that multiple of $151 which is nearest to but less than the annual rate of basic pay for positions in such level V, and that if the annual rate of basic pay for positions in such level V is increased to $42,000

or more, an individual occupying any position whose annual rate of compensation is determined under this subsection shall not be paid at any time, by reason of the promulgation of the Order, at an annual rate in excess of either of the following: (A) an annual rate of compensation which is a multiple of $151 which is nearest to, but less than, the annual rate of basic pay, which is now or may hereafter be in effect, for positions in such level V, or (B) (i) in the case of an individual occupying a position to which the rate "$42,431" applies, an annual rate of compensation which is that multiple of $151 which is nearest to, but less than, $2,265 less than the annual rate of compensation, which is now or may hereafter be in effect, for Members of Congress, (ii) in the case of an individual to which the rate "$44,243" applies, an annual rate of compensation which is that multiple of $151 which is nearest to, but less than, $1,661 less than such annual rate for Members of Congress, or (iii) in the case of an individual to which the rate "$46,206" applies, an annual rate of compensation which is that multiple of $151 which is nearest to, but less than, $1,057 less than such annual rate for Members of Congress.

LIMITATIONS ON 1974 INCREASES IN MAXIMUM ANNUAL RATES TO EMPLOYEES IN THE OFFICES OF SENATORS

Section 6(c)(2)–(4) of the Salary Directive of the President pro tempore of the Senate, Oct. 7, 1974, set out as a note under section 60a–1 of this title, provided that, notwithstanding the rate increases mandated by section 6(c)(1) of that Directive, any individual occupying a position to which a rate referred to in clause (i) or (ii) of such modification applies shall not be paid at any time at an annual rate exceeding $34,881 or $35,938, respectively, as long as the annual rate of basic pay for positions at level V of the Executive Schedule under section 5316 of Title 5, is less than $39,000, that if the annual rate for such level V is increased to $39,000 or more but less than $42,000, an individual occupying a position to which a rate referred to in such clause (i) or (ii) applies shall not be paid at any time, by reason of the promulgation of the Order, at an annual rate in excess of (A) in the case of an individual to whom the rate under such clause (i) applies, $38,052, and (B) in the case of an individual to whom the rate under clause (ii) applies, the lesser of a rate that is a multiple of $151 which is nearest to, but less than, the annual rate for such level V or $39,864, and that if the annual rate for such level V is increased to $42,000 or more, an individual occupying a position (A) to which the rate "$41,223" applies, shall not be paid at any time, by reason of the promulgation of the Order, at an annual rate of compensation which is that multiple of $151 which is nearest to, but less than, $2,265 less than the annual rate of compensation, which is now or may hereafter be in effect, for Members of Congress, or (B) to which the rate "$43,035" applies, shall not be paid at any time, by reason of the promulgation of the Order, at an annual rate of compensation in excess of either of the following: (i) an annual rate of compensation which is a multiple of $151 which is nearest to, but less than, the annual rate for such level V, or (ii) an annual rate of compensation which is that multiple of $151 which is nearest to, but less than, $1,661 less than such annual rate for Members of Congress.

LIMITATION ON 1974 INCREASE IN MAXIMUM ANNUAL RATE TO OFFICERS OR EMPLOYEES WHOSE COMPENSATION IS DISBURSED BY THE SECRETARY OF THE SENATE

Section 7(b)(2) of the Salary Directive of the President pro tempore of the Senate, Oct. 7, 1974, set out as a note under section 60a–1 of this title, provided that, notwithstanding the rate increase mandated by section 7(b)(1) of that Directive, any individual occupying a position to which such rate applies (A) shall not be paid at any time at an annual rate exceeding $35,938 as long as the annual rate of basic pay for positions at level V of the Executive Schedule under section 5316 of Title 5, is less than $39,000, (B) if the annual rate for such level V is increased to $39,000 or more but less than $42,000, shall not be paid at any time at an annual rate exceeding the lesser or of (i) a rate that is a multiple of $151 which is nearest to, but less than, the annual rate for such level V, or (ii) $41,072, and (C) if the annual rate for such level V is increased to $42,000 or more, shall not be paid at an annual rate in excess of either of the following: (1) an annual rate which is a multiple of $151 which is nearest to, but less than, the annual rate for such level V, or (ii) an annual rate which is nearest to, but less than, $1,057 less than the annual rate of compensation, which is now or may hereafter be in effect, for Members of Congress.

LIMITATIONS ON 1973 INCREASES IN MAXIMUM ANNUAL RATES TO PROFESSIONAL STAFF AND CLERICAL STAFF MEMBERS OF STANDING COMMITTEES, EMPLOYEES OF STANDING AND SELECT COMMITTEES, AND JOINT COMMITTEES WHOSE EXPENSES ARE PAID FROM THE CONTINGENT FUND OF THE SENATE

Section 5(b)(2) of the Salary Directive of the President pro tempore of the Senate, Oct. 4, 1973, set out as a note under section 60a–1 of this title, provided in part that any individual occupying a position to which the maximum annual rates of "$40,185", "$41,895", and "$43,890" apply, as such rates appear in subsec. (e) of this section, (A) shall not have his compensation fixed at a rate exceeding $33,060, $34,770, or $35,910 per annum, respectively, as long as the annual rate of basic pay for positions at level V of the Executive Schedule under section 5316 of Title 5 is less than $39,000, and (B) if the annual rate for such level V is increased to $39,000 or more but less than $42,000, shall not have his compensation fixed at an annual rate exceeding the lesser of (i) a rate that is a multiple of $285 which is nearest to, but less than, the annual rate for such level V or (ii) $36,765, $38,475, or $40,185, respectively. If the annual rate for such level V is increased to $42,000 or more, an individual occupying a position for which either of the rates "$41,895" or "$43,890" applies, shall not have his compensation fixed at an annual rate that exceeds a multiple of $285 which is nearest to but less than the annual rate for such level V, and, until such time as pay for Members of Congress is increased to $45,000 or more, shall not have his compensation fixed at an annual rate in excess of $40,755 or $41,325, respectively.

LIMITATIONS ON 1973 INCREASES IN MAXIMUM ANNUAL RATES TO EMPLOYEES IN THE OFFICES OF SENATORS

Section 6(c)(2) of the Salary Directive of the President pro tempore of the Senate, Oct. 4, 1973, set out as a note under section 60a–1 of this title, provided in part that any individual occupying a position to which the rates in subsec. (d)(2) of this section, as modified by the Salary Directive, applies shall not have his compensation fixed at an annual rate exceeding $34,770 or $35,910, respectively, as long as the annual rate of basic pay for positions at level V of the Executive Schedule under section 5316 of Title 5 is less than $39,000. If the annual rate for such level V is increased to $39,000 or more but less than $42,000, such individual shall not have compensation fixed, until the annual rate for such level V is increased to $42,000 or more, at an annual rate exceeding (A) in the case of an individual to whom the rate under subsec. (d)(a)(i) of this section applies, $37,620, and (B) in the case of an individual to whom the rate under subsec. (d)(2)(ii) of this section applies, the lesser of a rate that is a multiple of $285 which is nearest to, but less than, the annual rate for such level V or $39,330.

LIMITATION ON 1973 INCREASE IN MAXIMUM ANNUAL RATE TO OFFICERS OR EMPLOYEES WHOSE COMPENSATION IS DISBURSED BY THE SECRETARY OF THE SENATE

Section 7(b) of the Salary Directive of the President pro tempore of the Senate, Oct. 4, 1973, set out as a note under section 60a–1 of this title, provided in part that any individual occupying a position to which the $43,890 rate applies (1) shall not have his compensation fixed at a rate exceeding $35,910 per annum as

long as the annual rate of basic pay for positions at level V of the Executive Schedule under section 5316 of Title 5 is less than $39,000, and (2) if the annual rate for such level V is increased to $39,000 or more but less than $42,000, shall not have his compensation fixed at an annual rate exceeding the lesser of (A) a rate that is a multiple of $285 which is nearest to, but less than, the annual rate for such level V or (B) $40,185. If the annual rate for such level V is increased to $42,000 or more, an individual occupying a position to which such rate applies shall not have his compensation fixed at an annual rate that exceeds a multiple of $285 which is nearest to, but less than, the annual rate for such level V, and until such time as pay for Members of Congress are increased to $45,000 or more, shall not have his compensation fixed at an annual rate in excess of $41,325.

INCREASE IN ALLOWANCES FOR ADMINISTRATIVE AND CLERICAL ASSISTANCE TO SENATORS—1976

Pub. L. 94-157, title I, ch. IV, Dec. 18, 1975, 89 Stat. 830, provided: "That effective January 1, 1976, the clerk hire allowance of each Senator from the State of California shall be increased to that allowed Senators from States having a population of more than twenty-one million, the population of said State having exceeded twenty-one million inhabitants."

INCREASE IN ALLOWANCES FOR ADMINISTRATIVE AND CLERICAL ASSISTANCE TO SENATORS—1975

Pub. L. 94-32, title I, § 101, June 12, 1975, 89 Stat. 182, provided in part: "That effective January 1, 1975, the clerk hire allowance of each Senator from the State of Texas shall be increased to that allowed Senators from States having a population of more than twelve million, the population of said State having exceeded twelve million inhabitants."

INCREASE IN ALLOWANCES FOR ADMINISTRATIVE AND CLERICAL ASSISTANCE TO SENATORS—1974

Pub. L. 93-371, § 101, Aug. 13, 1974, 88 Stat. 425, provided in part: "That effective January 1, 1974, the clerk hire allowance of each Senator from the States of Arkansas and Arizona shall be increased to that allowed Senators from States having a population of two million, the population of each said State having exceeded two million inhabitants."

INCREASE IN ALLOWANCES FOR ADMINISTRATIVE AND CLERICAL ASSISTANCE TO SENATORS—1969

Pub. L. 91-145, § 101, Dec. 12, 1969, 83 Stat. 340, provided in part: "That the clerk hire allowance of each Senator from the State of Connecticut shall be increased to that allowed Senators from States having a population of three million, the population of said State having exceeded three million inhabitants."

INCREASE IN ALLOWANCES FOR ADMINISTRATIVE AND CLERICAL ASSISTANCE TO SENATORS—1968

Pub. L. 90-239, ch. IV, § 401, Jan. 2, 1968, 81 Stat. 774, provided in part that: "Effective January 1, 1968, the clerk hire allowance of each Senator from the State of Indiana shall be increased to that allowed Senators from States having a population of five million, the population of said State having exceeded five million inhabitants; and that the clerk hire allowance of each Senator from the State of New Jersey shall be increased to that allowed Senators from States having a population of seven million, the population of said State having exceeded seven million inhabitants."

INCREASE IN ALLOWANCES FOR ADMINISTRATIVE AND CLERICAL ASSISTANCE TO SENATORS—1966

Pub. L. 89-697, ch. VI, § 601, Oct. 27, 1966, 80 Stat. 1063, provided: "That the clerk hire allowance of each Senator from the State of North Carolina shall be increased to that allowed Senators from States having a population of five million, the population of said State having exceeded five million inhabitants."

INCREASE IN ALLOWANCES FOR ADMINISTRATIVE AND CLERICAL ASSISTANCE TO SENATORS—1963

Pub. L. 88-25, title I, § 101, May 17, 1963, 77 Stat. 31, provided in part: "That the clerk hire allowance of each Senator from the State of California shall be increased to that allowed Senators from States having a population of over seventeen million, the population of said State having exceeded seventeen million inhabitants, that the clerk hire allowance of each Senator from the State of Georgia shall be increased to that allowed Senators from States having a population of four million, the population of said State having exceeded four million inhabitants, and that the clerk hire allowance of each Senator from the State of Washington shall be increased to that allowed Senators from States having a population of three million, the population of said State having exceeded three million inhabitants."

INCREASE IN ALLOWANCES FOR ADMINISTRATIVE AND CLERICAL ASSISTANCE TO SENATORS—1962

Pub. L. 87-545, title I, § 101, July 25, 1962, 76 Stat. 215, provided in part that:

"The basic clerk hire allowance of each Senator is hereby increased by $3,000.

"The clerk hire allowances of the Senators from the States of New York and Virginia are hereby increased so that the allowances of the Senators from the State of New York will be equal to that allowed Senators from States having a population of over seventeen million, the population of said State having exceeded seventeen million inhabitants, and so that allowances of Senators from the State of Virginia will be equal to that allowed Senators from States having a population of four million, the population of said State having exceeded four million inhabitants."

INCREASE IN ALLOWANCE FOR ADMINISTRATIVE AND CLERICAL ASSISTANCE TO SENATORS—1955

Act June 28, 1955, ch. 189 § 4(d), (f), 69 Stat. 176, 177, as amended by Pub. L. 86-176, § 101, Aug. 21, 1959, 73 Stat. 401; Pub. L. 88-454, § 101, Aug. 20, 1964, 78 Stat. 538; Pub. L. 89-545, § 101, Aug. 27, 1966, 80 Stat. 357; Pub. L. 90-57, § 105(i)(6), July 28, 1967, 81 Stat. 144, provided that:

"(d)(1) The aggregate amount of the basic compensation authorized to be paid for administrative and clerical assistance and messenger service in the offices of Senators is hereby increased by—

"(A) $10,020 in the case of Senators from States the population of which is less than three million;

"(B) $10,920 in the case of Senators from States the population of which is three million or more but less than five million;

"(C) $11,760 in the case of Senators from States the population of which is five million or more but less than ten million; and

"(D) $11,880 in the case of Senators from States the population of which is ten million or more.

"(2) Notwithstanding the second proviso in the paragraph relating to the authority of Senators to rearrange the basic salaries of employees in their respective offices, which appears in the Legislative Branch Appropriation Act, 1947, as amended (2 U. S. C. 60f) [repealed], but subject to the limitations contained in paragraph (3) of this subsection, during the period beginning on the effective date of this subsection and ending on the last day of the first pay period which begins after the date of enactment of this Act [June 28, 1955] (A) the compensation of the administrative assistant in the office of each Senator may be fixed at a basic rate which together with additional compensation authorized by law will not exceed the maximum rate authorized by section 2 (b) of the Act of October 24, 1951 (Public Law 201, Eighty-second Congress), as amended [section 60e-6(b) of this title], (B) the compensation of one employee other than the administrative assistant in the office of each Senator may be fixed at a basic rate not to exceed $10,260 per annum, and (C) the compensation of any other employee in

the office of a Senator may be fixed at a basic rate not to exceed $6,420 per annum.

"(3) Notwithstanding the third proviso in such paragraph [this section], any increase in the compensation of an employee in a Senator's office shall take effect on the effective date of this subsection or on the date such employee became employed, whichever is later, if (A) the certification filed by such Senator under such proviso so provides, (B) such certification is filed in the disbursing office of the Senate not later than fifteen days following the date of enactment of this Act [June 28, 1955], and (C) the amount of such increase does not exceed the amount of the increase which would be payable in the case of such employee if he were subject to the provisions of subsection (a) of this section [section 60e-7 of this title] plus any additional amount which may result from fixing the rate of basic compensation at the lowest multiple of $60 which will result in an increase not less than the amount of such increase which would be payable under subsection (a) [section 60e-7(a) of this title]."

"(f) [Repealed. Pub. L. 90-57, § 105(i)(6), July 28, 1967, 81 Stat. 144, eff. Aug. 1, 1967.]"

INCREASE IN ALLOWANCE FOR ADMINISTRATIVE AND CLERICAL ASSISTANCE TO SENATORS—1951

Section 2(c)(1) of act Oct. 24, 1951, ch. 554, 65 Stat. 614, provided that:

"The aggregate amount of the basic compensation authorized to be paid for administrative and clerical assistance and messenger service in the offices of Senators is hereby increased by—

"(A) $4,140 in the case of Senators from States the population of which is less than three million;

"(B) $4,860 in the case of Senators from States the population of which is three million or more but less than five million;

"(C) $5,220 in the case of Senators from States the population of which is five million or more but less than ten million; and

"(D) $5,760 in the case of Senators from States the population of which is ten million or more."

1966 ADJUSTMENT OF BASIC COMPENSATION OF EMPLOYEES IN OFFICE OF SENATOR

Section 302(f) of Pub. L. 89-504, title III, July 18, 1966, 80 Stat. 295, provided that: "The basic compensation of each employee in the office of a Senator is hereby adjusted, effective on the first day of the month following the date of enactment of this Act [July 18, 1966], to the lowest multiple of $60 which will provide a gross rate of compensation not less than the gross rate such employee was receiving immediately prior thereto, except that the foregoing provisions of this subsection shall not apply in the case of any employee if on or before the fifteenth day following the date of enactment of this Act [July 18, 1966], the Senator by whom such employee is employed notifies the disbursing office of the Senate in writing that he does not wish such provisions to apply to such employee. No employee whose basic compensation is adjusted under this subsection shall receive any additional compensation under subsection (a) [section 60e-13(a) of this title] for any period prior to the effective date of such adjustment during which such employee was employed in the office of the Senator by whom he is employed on the first day of the month following the enactment of this Act [July 18, 1966]. No additional compensation shall be paid to any person under subsection (a) [section 60e-13(a) of this title] for any period prior to the first day of the month following the date of enactment of this Act [July 18, 1966] during which such person was employed in the office of a Senator (other than a Senator by whom he is employed on such day) unless on or before the fifteenth day following the date of enactment of this Act [July 18, 1966] such Senator notifies the disbursing office of the Senate in writing that he wishes such employee to receive such additional compensation for such period. In any case in which, at the expiration of the time within which a Senator may give notice under this subsection, such Senator is deceased, such notice shall be deemed to have been given."

1965 ADJUSTMENT OF BASIC COMPENSATION OF EMPLOYEES IN OFFICE OF SENATOR

Section 11(f) of Pub. L. 89-301, Oct. 29, 1965, 79 Stat. 1121, provided that: "The basic compensation of each employee in the office of a Senator is hereby adjusted, effective on the first day of the month following the date of enactment of this Act [Oct. 29, 1965], to the lowest multiple of $60 which will provide a gross rate of compensation not less than the gross rate such employee was receiving immediately prior thereto, except that the foregoing provisions of this subsection shall not apply in the case of any employee if on or before the fifteenth day following the date of enactment of this Act [Oct. 29, 1965], the Senator by whom such employee is employed notifies the disbursing office of the Senate in writing that he does not wish such provisions to apply to such employee. No employee whose basic compensation is adjusted under this subsection shall receive any additional compensation under subsection (a) [section 60e-12(a) of this title] for any period prior to the effective date of such adjustment during which such employee was employed in the office of the Senator by whom he is employed on the first day of the month following the enactment of this Act [Oct. 29, 1965]. No additional compensation shall be paid to any person under subsection (a) [section 60e-12(a) of this title] for any period prior to the first day of the month following the date of enactment of this Act [Oct. 29, 1965] during which such person was employed in the office of a Senator (other than a Senator by whom he is employed on such day) unless on or before the fifteenth day following the date of enactment of this Act [Oct. 29, 1965] such Senator notifies the disbursing office of the Senate in writing that he wishes such employee to receive such additional compensation for such period. In any case in which, at the expiration of the time within which a Senator may give notice under this subsection, such Senator is deceased, such notice shall be deemed to have been given."

1964 ADJUSTMENT OF BASIC COMPENSATION OF EMPLOYEES IN OFFICE OF SENATOR

Section 202(e) of Pub. L. 88-426, title II, Aug. 14, 1964, 78 Stat. 413, provided that: "The basic compensation of each employee in the office of a Senator is hereby adjusted effective on the first day of the month following the date of enactment of this Act [Aug. 14, 1964], to the lowest multiple of $60 which will provide a gross rate of compensation not less than the gross rate such employee was receiving immediately prior thereto except that the foregoing provisions of this subsection shall not apply in the case of any employee if on or before the fifteenth day following the date of enactment of this Act [Aug. 14, 1964], the Senator by whom such employee is employed notifies the disbursing office of the Senate in writing that he does not wish such provisions to apply to such employee. No employee whose basic compensation is adjusted under this subsection shall receive any additional compensation under subsection (a) [section 60e-11(a) of this title] for any period prior to the effective date of such adjustment during which such employee was employed in the office of the Senator by whom he is employed on the first day of the month following the enactment of this Act [Aug. 14, 1964]. No additional compensation shall be paid to any person under subsection (a) [section 60e-11(a) of this title] for any period prior to the first day of the month following the date of enactment of this Act [Aug. 14, 1964] during which such person was employed in the office of a Senator (other than a Senator by whom he is employed on such day) unless on or before the fifteenth day following the date of enactment of this Act [Aug. 14, 1964] such Senator notifies the disbursing office of the Senate in writing that he wishes such employee to receive such additional compensation for such period. In any case in which, at the expiration of the time

within which a Senator may give notice under this subsection, such Senator is deceased such notice shall be deemed to have been given."

1962 Adjustment of Basic Compensation of Employees in Office of Senator

Section 1005(b) of Pub. L. 87-793, Oct. 11, 1962, 76 Stat. 867, provided that: "The basic compensation of each employee in the office of a Senator is hereby adjusted, effective on October 16, 1962, to the lowest multiple of $60 which will provide a gross rate of compensation not less than the gross rate such employee was receiving immediately prior thereto, except that the foregoing provisions of this subsection shall not apply in the case of any employee if on or before the fifteenth day following the date of enactment of this Act [Oct. 11, 1962] the Senator by whom such employee is employed notifies the disbursing office of the Senate in writing that he does not wish such provisions to apply to such employee. In any case in which, at the expiration of the time within which a Senator may give notice under this subsection, such Senator is deceased such notice shall be deemed to have been given."

1960 Adjustment of Basic Compensation of Employees in Office of Senator

Pub. L. 86-568, title I, § 117(b), July 1, 1960, 74 Stat. 303, provided that: "The basic compensation of each employee in the office of a Senator is hereby adjusted, effective on July 1, 1960, to the lowest multiple of $60 which will provide a gross rate of compensation not less than the gross rate such employee was receiving immediately prior thereto, except that the foregoing provisions of this subsection shall not apply in the case of any employee if on or before the fifteenth day following the date of enactment of this Act [July 1, 1960] the Senator by whom such employee is employed notifies the disbursing office of the Senate in writing that he does not wish such provisions to apply to such employee. In any case in which, at the expiration of the time within which a Senator may give notice under this subsection, such Senator is deceased such notice shall be deemed to have been given."

1958 Adjustment of Basic Compensation of Employees in Office of Senator

Pub. L. 85-462, § 4(b), June 20, 1958, 72 Stat. 207, provided that: "The basic compensation of each employee in the office of a Senator is hereby adjusted, effective on the first day of the month following the date of enactment of this Act [June 20, 1958], to the lowest multiple of $60 which will provide a gross rate of compensation not less than the gross rate such employee was receiving immediately prior thereto, except that the foregoing provisions of this subsection shall not apply in the case of any employee if on or before the fifteenth day following the date of enactment of this Act [June 20, 1958] the Senator by whom such employee is employed notifies the disbursing office of the Senate in writing that he does not wish such provisions to apply to such employee. No employee whose basic compensation is adjusted under this subsection shall receive any additional compensation under subsection (a) [section 60e-8(a) of this title] for any period prior to the effective date of such adjustment during which such employee was employed in the office of the Senator by whom he is employed on the first day of the month following the enactment of this Act [June 20, 1958]. No additional compensation shall be paid to any person under subsection (a) [section 60e-8(a) of this title] for any period prior to the first day of the month following the date of enactment of this Act [June 20, 1958] during which such person was employed in the office of a Senator (other than a Senator by whom he is employed on such day) unless on or before the fifteenth day following the date of enactment of this Act [June 20, 1958] such Senator notifies the disbursing office of the Senate in writing that he wishes such employee to receive such additional compensation for such period. In any case in which, at the expiration of the time within which a Senator may give notice under this subsection, such Senator is deceased such notice shall be deemed to have been given."

1955 Adjustment of Basic Compensation of Employees in Office of Senator

Act June 28, 1955, ch. 189, § 4(e)(2), 69 Stat. 177, provided that: "The basic compensation of each employee in the office of a Senator on the effective date of this subsection is hereby adjusted to the lowest multiple of $60 which will provide basic compensation, plus additional compensation payable under subsection (a) [section 60e-7(a) of this title] and the provisions of law referred to in subsection (a) [section 60e-7(a) of this title], not less than the amount of basic compensation, plus additional compensation under the provisions of sections 501 and 502 of the Federal Employees' Pay Act of 1945, as amended [sections 60e-3 and 60e-4 of this title], and section 301 of the Postal Rate Revision and Federal Employees' Salary Act of 1948 [section 60e-4a of this title], which he is receiving on the effective date of this subsection."

Compensation of Administrative Assistant Charged to Senator

Subsec. (c)(1) of section 101 of act Oct. 28, 1949, ch. 783, title I, 63 Stat. 974, provided that: "The basic compensation of the administrative assistant to a Senator shall be charged against the aggregate amount authorized to be paid for clerical assistance and messenger service in the office of such Senator."

Additional Increase in Clerk Hire

Subsec. (c)(2) of section 101 of act Oct. 28, 1949, ch. 783, title I, 63 Stat. 974, provided that: "The aggregate amount of the basic compensation authorized to be paid for clerical assistance and messenger service in the office of each Senator is increased by $11,520."

Increase of Clerk Hire for Senators

Section 2(b) of act Dec. 20, 1944, effective Jan. 1, 1945, provided: "The aggregate amount of the basic compensation authorized to be paid to employees in the offices of Senators (including employees of standing committees of which Senators are chairmen) is hereby increased by (1) $4,020 in the case of each Senator from a State which has a population of less than four million inhabitants and (2) by $5,040 in the case of each Senator from a State which has a population of four million or more inhabitants."

1970 Increase in Pay Rates of Certain Employees of the Legislative Branch

Adjustment by the President pro tempore of the Senate with respect to the United States Senate, by the Finance Clerk of the House of Representatives with respect to the United States House of Representatives, and by the Architect of the Capitol with respect to the Office of the Architect of the Capitol, effective on the first day of the first pay period which begins on or after Dec. 27, 1969, of the rates of pay of employees of the legislative branch subject to section 214 of Pub. L. 90-206, with certain exceptions, by the amounts of the adjustment for corresponding rates for employees subject to the General Schedule, set out in section 5332 of Title 5, which had been made by section 2 of Pub. L. 91-231 raising such rates by 6 percent, see Pub. L. 91-231, set out as a note under section 5332 of Title 5, Government Organization and Employees.

1968 and 1969 Increases in Compensation of Employees

This section deemed amended on and after July 1, 1969, see the Salary Directives of the President pro tempore of the Senate, June 12, 1968 and June 17, 1969, set out as a note under section 60a-1 of this title.

RATES OF PAY FOR EMPLOYEES OF SENATE SELECT COMMITTEE TO STUDY GOVERNMENTAL OPERATIONS WITH RESPECT TO INTELLIGENCE ACTIVITIES

Pub. L. 94-32, title I, § 101, June 12, 1975, 89 Stat. 183, provided in part that: "Notwithstanding paragraph (3) of section 105(e) of the Legislative Branch Appropriations Act, 1968, as amended [subsec. (e)(3) of this section], two employees of the Senate Select Committee to Study Governmental Operations With Respect to Intelligence Activities may be paid at the highest gross rate provided in subparagraph (A) of such paragraph, and eleven employees of such committee may be paid at the next highest gross rate provided in such subparagraph."

SECRETARY OF SENATE TO FIX COMPENSATION OF LEGISLATIVE CLERK AND JOURNAL CLERK

Pub. L. 86-213, § 1, Sept. 1, 1959, 73 Stat. 443, authorized the Secretary of the Senate to fix the compensation of the legislative clerk and the journal clerk, on and after Sept. 1, 1959, at not to exceed $7,620 basic per annum each.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 72a-1c of this title.

§ 61-2. Increase in gross rate of compensation

(a) Employees paid by Secretary of Senate and Clerk of House of Representatives

The annual rate of gross compensation of each officer or employee whose compensation is disbursed by the Secretary of the Senate, and the annual rate of gross compensation of each telephone operator on the United States Capitol telephone exchange and each member of the Capitol Police whose compensation is disbursed by the Clerk of the House of Representatives, (1) is increased by 4.5 per centum, and (2) as so increased shall be adjusted, effective the first day of the month following December 16, 1967, to the nearest multiple of $188.

(b) Reference in other provisions to rates of compensation as reference to per annum gross rate

In any case in which the rate of compensation of any officer, employee, or position, or class of officers, employees, or positions, the compensation for which is disbursed by the Secretary of the Senate, or any minimum or maximum rate with respect to such officer, employee, position, or class is referred to in or provided by statute or Senate resolution, such statutory provision or resolution shall be deemed to refer to the rate which an officer or employee subject to the provisions of subsection (a) of this section receiving such rate immediately prior to the effective date of such subsection would be entitled (without regard to such statutory provision) to receive on and after such date. As used in this subsection and subsection (a) of this section, the term "officer" does not include a Senator.

(c) Adjustment of rate of compensation; notice for increase in compensation

The annual rate of gross compensation of each employee in the office of a Senator shall be adjusted, effective on the first day of the month following December 16, 1967, to the lowest multiple of $188 which is not lower than the rate such employee was receiving immediately prior thereto, except that the foregoing provisions of this subsection shall not apply in the case of any employee if on or before the fifteenth day following December 16, 1967, the Senator by whom such employee is employed notifies the disbursing office of the Senate in writing that he does not wish such provisions to apply to such employee. No employee whose rate of compensation is adjusted under this subsection shall receive an increase under subsection (a) of this section for any period prior to the effective date of such adjustment during which such employee was employed in the office of the Senator by whom he is employed on the first day of the month following the enactment of this Act. No increase shall be paid to any person under subsection (a) of this section for any period prior to the first day of the month following December 16, 1967, during which such person was employed in the office of a Senator (other than the Senator by whom he is employed on such day) unless on or before the fifteenth day following December 16, 1967, such Senator notifies the disbursing office of the Senate in writing that he wishes such employee to receive such additional compensation for such period. In any case in which, at the expiration of the time within which a Senator may give notice under this subsection, such Senator is deceased, such notice shall be deemed to have been given. An increase under this subsection in the compensation of an employee in the office of a Senator for any period prior to the first day of the month following December 16, 1967, shall be made without regard to the clerk hire allowance of such Senator.

(Pub. L. 90-206, title II, § 214(g)-(i), Dec. 16, 1967, 81 Stat. 636.)

REFERENCES IN TEXT

Effective date, referred to in subsecs. (b) and (c), is the first pay period which begins on or after October 1, 1967. See Effective Date note set out under this section.

CODIFICATION

Section is comprised of subsecs. (g) to (i) of section 214 of Pub. L. 90-206. For classification of section 214 of Pub. L. 90-206, see Codification note set out under section 60e-14 of this title.

EFFECTIVE DATE

Section effective as of the beginning of the first pay period which begins on or after Oct. 1, 1967, see section 220(a)(2) of Pub. L. 90-206, set out as a note under section 5332 of Title 5, Government Organization and Employees.

1970 INCREASE IN PAY RATES OF CERTAIN EMPLOYEES OF THE LEGISLATIVE BRANCH

Adjustment by the President pro tempore of the Senate with respect to the United States Senate, by the Finance Clerk of the House of Representatives with respect to the United States House of Representatives, and by the Architect of the Capitol with respect to the Office of the Architect of the Capitol, effective on the first day of the first pay period which begins on or after Dec. 27, 1969, of the rates of pay of employees of the legislative branch subject to section 214 of Pub. L. 90-206 with certain exceptions, by the amounts of the adjustment for corresponding rates for employees subject to the General Schedule, set out in section 5332 of Title 5, which had been made by section 2 of Pub. L. 91-231 raising such rates by 6 percent, see Pub. L. 91-231, set out as a note under section 5332 of Title 5, Government Organization and Employees.

INCREASES IN COMPENSATION

Increases in compensation for officers and employees of the Senate and House of Representatives under authority of the Federal Salary Act of 1967 (Pub. L. 90-206) and the Federal Pay Comparability Act of 1970 (Pub. L. 91-656), see sections 60a-1 and 60a-2 of this title and Salary Directives of the President pro tempore of the Senate and the Speaker of the House of Representatives, set out as notes under those sections.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 60e-14 of this title.

§ 61a. Compensation of Secretary of the Senate

The Secretary of the Senate shall be paid at an annual rate of compensation of $40,000.

(Pub. L. 88-426, title II, § 203(g), Aug. 14, 1964, 78 Stat. 415; Pub. L. 93-371, § 101(4), Aug. 13, 1974, 88 Stat. 429; Pub. L. 94-59, title I, § 105, July 25, 1975, 89 Stat. 275.)

CODIFICATION

A prior section 61a, act Aug. 5, 1955, ch. 568, § 1, 69 Stat. 499, prescribed the gross annual compensation of the Secretary of the Senate.

AMENDMENTS

1975—Pub. L. 94-59 substituted "an annual rate of compensation of $40,000" for "a rate of $38,760 per annum".

1974—Pub. L. 93-371 increased the annual rate of compensation from $27,500 to $38,760.

EFFECTIVE DATE OF 1975 AMENDMENT

Section 105 of Pub. L. 94-59 provided in part that the increase in the Secretary's rate of compensation to $40,000 is effective July 1, 1975.

EFFECTIVE DATE OF 1974 AMENDMENT

Section 101(4) of Pub. L. 93-371 provided in part that: "This paragraph [which enacted sections 61h, 61h-1, 63a and 64a-1 of this title, amended this section and sections 61a-3, 61b, 61e, 61g, 61j, and 273 of this title, and enacted provisions set out as notes under this section and sections 61-1 and 274 of this title] is effective July 1, 1974."

EFFECTIVE DATE

Section effective on the first day of the first pay period which begins on or after July 1, 1964, except to the extent provided in section 501(c) of Pub. L. 88-426, see section 501 of Pub. L. 88-426.

1974 ADJUSTMENT IN COMPENSATION NOT TO SUPERSEDE ADJUSTMENTS IN COMPENSATION OR LIMITATIONS BY PRESIDENT PRO TEMPORE OF THE SENATE

Section 101(4) of Pub. L. 93-371, eff. July 1, 1974, provided in part that: "This paragraph does not supersede (1) any provision of an order of the President pro tempore of the Senate authorizing a higher rate of compensation, and (2) any authority of the President pro tempore to adjust rates of compensation or limitations referred to in this paragraph under section 4 of the Federal Pay Comparability Act of 1970 [section 60a-1 of this title]."

INCREASES IN COMPENSATION

Increases in compensation of Secretary of the Senate under authority of the Federal Salary Act of 1967 (Pub. L. 90-206) and the Federal Pay Comparability Act of 1970 (Pub. L. 91-656), see section 60a-1 of this title, and Salary Directives of the President pro tempore of the Senate, set out as notes under that section.

§ 61a-1. Omitted

CODIFICATION

Section, acts June 27, 1956, ch. 453, § 101, 70 Stat. 356; July 9, 1971, Pub. L. 92-51, § 101, 85 Stat. 125, set forth the compensation of the chief clerk of the Senate which office was superseded by the assistant secretary of the Senate.

§ 61a-2. Compensation of Postmaster and Assistant Postmaster of the Senate

The gross rate of compensation of the Postmaster of the Senate shall be $18,420, and the gross rate of compensation of the Assistant Postmaster of the Senate shall be $14,570. The provisions of section 60j of this title shall not hereafter apply to employees referred to in this section.

(Pub. L. 88-426, title II, § 202(i), Aug. 14, 1964, 78 Stat. 414.)

EFFECTIVE DATE

Section effective on the first day of the first pay period which begins on or after July 1, 1964, except to the extent provided in section 501(c) of Pub. L. 88-426, see section 501 of Pub. L. 88-426.

INCREASES IN COMPENSATION

Increases in compensation of the Postmaster and Assistant Postmaster of the Senate, see notes under Section 60a-1 of this title.

§ 61a-3. Compensation of Assistant Secretary of the Senate

The Assistant Secretary of the Senate may be paid at a maximum annual rate of compensation not to exceed $39,000.

(Pub. L. 91-145, § 101, Dec. 12, 1969, 33 Stat. 340; Pub. L. 93-371, § 101(4), Aug. 13, 1974, 88 Stat. 429; Pub. L. 94-59, title I, § 105, July 25, 1975, 89 Stat. 275.)

AMENDMENTS

1975—Pub. L. 94-59 substituted "$39,000" for "$37,620".

1974—Pub. L. 93-371 substituted provision setting forth the maximum annual rate of compensation of the Assistant Secretary at not to exceed $37,620, for provisions authorizing the Secretary of the Senate to fix the compensation of the Assistant Secretary at not to exceed $11,826 per annum.

CHANGE OF NAME

The assistant secretary of the Senate deemed the successor in references to the chief clerk of the Senate in all laws, rules, resolutions, and orders, effective July 1, 1971, under provisions of Pub. L. 92-51, § 101, July 9, 1971, 85 Stat. 125.

EFFECTIVE DATE OF 1975 AMENDMENT

Section 105 of Pub. L. 94-59 provided in part that the increase in the rate of compensation for the Assistant Secretary of the Senate to $39,000 is effective July 1, 1975.

EFFECTIVE DATE OF 1974 AMENDMENT

Amendment by Pub. L. 93-371 effective July 1, 1974, see section 101(4) of Pub. L. 93-371, set out as a note under section 61a of this title.

1974 ADJUSTMENT IN COMPENSATION NOT TO SUPERSEDE ADJUSTMENTS IN COMPENSATION OR LIMITATIONS BY PRESIDENT PRO TEMPORE OF THE SENATE

Adjustment in compensation by Pub. L. 93-371 not to supersede order of President pro tempore of the

Senate authorizing higher rate of compensation or any authority of the President pro tempore to adjust rates of compensation or limitations under section 4 of the Federal Pay Comparability Act of 1970, see section 101(4) of Pub. L. 93-371, set out as a note under section 61a of this title.

INCREASES IN COMPENSATION

Increases in compensation of the Assistant Secretary of the Senate under authority of the Federal Salary Act of 1967 (Pub. L. 90-206) and the Federal Pay Comparability Act of 1970 (Pub. L. 91-656), see section 60a-1 of this title, and Salary Directives of the President pro tempore of the Senate, set out as notes under that section.

§ 61a-4. Repealed. Pub. L. 93-145, § 101, Nov. 1, 1973, 87 Stat. 531

Section, Pub. L. 91-145, § 101, Dec. 12, 1969, 83 Stat. 340; Pub. L. 91-382, § 101, Aug. 18, 1970, 84 Stat. 807, provided for the appointment and salary of a Comptroller of the Senate and a Secretary to the Comptroller of the Senate.

EFFECTIVE DATE OF REPEAL

Section 101 of Pub. L. 93-145 provided in part that the repeal by Pub. L. 93-145 is effective July 1, 1973.

§ 61a-4a. Omitted

CODIFICATION

Section, Pub. L. 92-342, § 101, July 10, 1972, 86 Stat. 433, authorized the Comptroller of the Senate to appoint and fix the compensation of an auditor in lieu of a secretary. Section is omitted as obsolete in view of the repeal of section 61a-4 of this title which authorized the appointment of a Comptroller of the Senate by the President pro tempore of the Senate and the appointment by the Comptroller of the Senate of a secretary, and the repeal of section 61a-5 of this title which set out the duties of the Comptroller of the Senate, one of which was to appoint a secretary.

§ 61a-5. Repealed. Pub. L. 93-145, § 101, Nov. 1, 1973, 87 Stat. 531

Section, Pub. L. 91-382, § 101, Aug. 18, 1970, 84 Stat. 807, set out the duties to be performed by the Comptroller of the Senate.

EFFECTIVE DATE OF REPEAL

Section 101 of Pub. L. 93-145 provided in part that the repeal by Pub. L. 93-145 is effective July 1, 1973.

§§ 61a-6 to 61a-8. Omitted

CODIFICATION

Sections have been omitted for lack of general application. Sections were taken from the Legislative Branch Appropriation Act, 1971, the Legislative Branch Appropriation Act, 1972, and the Supplemental Appropriation Act, 1973, respectively, and provided for the appointment and compensation of specified employees of the Senate by the Secretary of the Senate.

Section 61a-6, Pub. L. 91-382, § 101, Aug. 18, 1970, 84 Stat. 808, was effective Aug. 1, 1970.

Section 61a-7, Pub. L. 92-51, § 101, July 9, 1971, 85 Stat. 125, was effective July 1, 1971.

Section 61a-8, Pub. L. 92-607, ch. V, § 500, Oct. 31, 1972, 86 Stat. 1504, was effective Nov. 1, 1972.

§ 61a-9. Advancement by Secretary of the Senate of travel funds to employees under his jurisdiction for Federal Election Campaign Act travel expenses

The Secretary of the Senate is hereafter authorized to advance, in his discretion, to any designated employee under his jurisdiction, such sums as may be necessary, not exceeding $1,500, to defray official travel expenses in assisting the Secretary in carrying out his duties under the Federal Election Campaign Act of 1971. Any such employee shall, as soon as practicable, furnish to the Secretary a detailed voucher for such expenses incurred and make settlement with respect to any amount so advanced.

(Pub. L. 92-607, ch. V, § 504, Oct. 31, 1972, 86 Stat. 1505.)

REFERENCES IN TEXT

The Federal Election Campaign Act of 1971, referred to in text, is Pub. L. 92-225. For classification of Pub. L. 92-225 in the Code, see Short Title note set out under section 431 of this title and Tables volume.

§ 61a-9a. Travel expenses of Secretary of the Senate; advancement of travel funds to designated employees

For the purpose of carrying out his duties, the Secretary of the Senate is authorized to incur official travel expenses but such expenditures shall not exceed $5,000 during any fiscal year. The Secretary of the Senate is authorized to advance, in his discretion, to any designated employee under his jurisdiction, such sums as may be necessary, not exceeding $1,000, to defray official travel expenses in assisting the Secretary in carrying out his duties. Any such employee shall, as soon as practicable, furnish to the Secretary a detailed voucher for such expenses incurred and make settlement with respect to any amount so advanced. Payments to carry out the provisions of this section shall be made from funds included in the appropriation "Miscellaneous Items" under the heading "Contingent Expenses of the Senate" upon vouchers approved by the Secretary of the Senate.

(Pub. L. 94-59, title I, § 101, July 25, 1975, 89 Stat. 273.)

§ 61a-10. Omitted

CODIFICATION

Section, Pub. L. 93-145, § 101, Nov. 1, 1973, 87 Stat. 528, is from the Legislative Branch Appropriation Act, 1974, and provided for the appointment and compensation of specified employees of the Senate by the Secretary of the Senate, effective July 1, 1973. It has been omitted for lack of general application.

§ 61b. Compensation of Parliamentarian of the Senate

The Parliamentarian of the Senate may be paid at a maximum annual rate of compensation not to exceed $39,000.

(Aug. 5, 1955, ch. 568, § 1, 69 Stat. 499; June 27, 1956, ch. 453, § 101, 70 Stat. 356; Pub. L. 93-371, § 101(4), Aug. 13, 1974, 88 Stat. 429; Pub. L. 94-59, title I, § 105, July 25, 1975, 89 Stat. 275.)

AMENDMENTS

1975—Pub. L. 94-59 substituted "$39,000" for "$37,620".

1974—Pub. L. 93-371 substituted provisions authorizing a maximum annual rate of compensation not to exceed $37,620 for the Parliamentarian, for provisions authorizing a gross annual compensation of $15,500.

1956—Act June 27, 1956, increased the compensation of the parliamentarian of the Senate from $8,820 basic annual compensation to $15,500 gross annual compen-

sation, and the basic annual compensation of the assistant parliamentarian of the Senate from $7,260 to $7,620.

EFFECTIVE DATE OF 1975 AMENDMENT

Section 105 of Pub. L. 94-59 provided in part that the increase in the rate of compensation for the Parliamentarian to $39,000 is effective July 1, 1975.

EFFECTIVE DATE OF 1974 AMENDMENT

Amendment by Pub. L. 93-371 effective July 1, 1974, see section 101(4) of Pub. L. 93-371, set out as a note under section 61a of this title.

1974 ADJUSTMENT IN COMPENSATION NOT TO SUPERSEDE ADJUSTMENTS IN COMPENSATION OR LIMITATIONS BY PRESIDENT PRO TEMPORE OF THE SENATE

Adjustment in compensation by Pub. L. 93-371 not to supersede order of President Pro Tempore of the Senate authorizing higher rate of compensation or any authority of the President Pro Tempore to adjust rates of compensation or limitations under section 4 of the Federal Pay Comparability Act of 1970, see section 101(4) of Pub. L. 93-371, set out as a note under section 61a of this title.

INCREASES IN COMPENSATION

Increases in compensation of the parliamentarian and assistant parliamentarian of the Senate under authority of the Federal Salary Act of 1967 (Pub. L. 90-206) and the Federal Pay Comparability Act of 1970 (Pub. L. 91- 656), see section 60a-1 of this title, and Salary Directives of the President pro tempore of the Senate, set out as notes under that section.

INAPPLICABILITY OF 1958 INCREASES TO HOUSE PARLIAMENTARIAN AND EMPLOYEES

Pub. L. 85-462, § 4(s), June 20, 1958, 72 Stat. 209, provided that: "The increases in compensation provided by this section [section 60e-8 of this title and notes under sections 60a-1, 60a-2, and 60f of this title] shall not be applicable with respect to the Office of the Parliamentarian of the House of Representatives and to any employee in such office."

1955 INCREASE IN COMPENSATION OF HOUSE PARLIAMENTARIAN AND ASSISTANT PARLIAMENTARIAN

H. Res. 339, agreed to Aug. 2, 1955, effective July 1, 1955, increased gross annual salary of parliamentarian of the House to $20,500 and of assistant parliamentarian of the House to $16,500.

SECRETARY OF SENATE TO FIX COMPENSATION OF ASSISTANT PARLIAMENTARIAN

Pub. L. 86-213, Sept. 1, 1959, 73 Stat. 443, authorized the Secretary of the Senate to fix the compensation of the Assistant Parliamentarian, on and after Sept. 1, 1959, at not to exceed $7,620 basic per annum.

§ 61b-1. Appointment and compensation of second assistant parliamentarian

Effective July 1, 1962, the Secretary of the Senate may appoint and fix the compensation of a second assistant parliamentarian at not to exceed $5,700 basic per annum.

(Pub. L. 87-730, § 101, Oct. 2, 1962, 76 Stat. 680.)

INCREASES IN COMPENSATION

Increases in compensation for officers and employees of the Senate under authority of the Federal Pay Comparability Act of 1970 (Pub. L. 91-656), see section 60a-1 of this title, and Salary Directives of the President pro tempore of the Senate, set out as notes under that section.

§ 61b-1a. Appointment and compensation of third assistant parliamentarian

Effective July 1, 1972, the Secretary of the Senate may appoint and fix the compensation of a third assistant parliamentarian at not to exceed $19,684 per annum.

(Pub. L. 92-342, § 101, July 10, 1972, 86 Stat. 433.)

INCREASES IN COMPENSATION

Increases in compensation for officers and employees of the Senate under authority of the Federal Pay Comparability Act of 1970 (Pub. L. 91-656), see section 60a-1 of this title, and Salary Directives of the President pro tempore of the Senate, set out as notes under that section.

§ 61b-2. Appointment and compensation of Curator of Art and Antiquities

The Secretary of the Senate may employ a Curator of Art and Antiquities at not to exceed $22,089 per annum.

(Pub. L. 90-608, ch. VII, § 701, Oct. 21, 1968, 82 Stat. 1195.)

INCREASES IN COMPENSATION

Increases in compensation for officers and employees of the Senate under authority of the Federal Pay Comparability Act of 1970 (Pub. L. 91-656), see section 60a-1 of this title, and Salary Directives of the President pro tempore of the Senate, set out as notes under that section.

§ 61c. Omitted.

CODIFICATION

Section, Pub. L. 94-59, title I, § 100, July 25, 1975, 89 Stat. 270, set the compensation for certain positions in the office of the Secretary of the Senate, and is omitted for lack of general applicability.

PRIOR PROVISIONS

A prior section 61c, acts Aug. 5, 1955, ch. 568, § 1, 69 Stat. 499; June 27, 1956, ch. 453, § 101, 70 Stat. 356; Aug. 21, 1959, Pub. L. 86-176, § 101, 73 Stat. 398; Aug. 10, 1961, Pub. L. 87-130, § 101, 75 Stat. 320, set the basic annual compensation of certain positions in the office of the Secretary of the Senate.

§ 61c-1. Adjustment of rate of compensation by Secretary of the Senate

Any specific rate of compensation established by law, as such rate has been increased or may hereafter be increased by or pursuant to law, for any position under the jurisdiction of the Secretary shall be considered as the maximum rate of compensation for that position, and the Secretary is authorized to adjust the rate of compensation of an individual occupying any such position to a rate not exceeding such maximum rate.

(Pub. L. 91-382, § 101, Aug. 18, 1970, 84 Stat. 808.)

INCREASES IN COMPENSATION

Increases in compensation for officers and employees of the Senate under authority of the Federal Pay Comparability Act of 1970 (Pub. L. 91-656), see section 60a-1 of this title, and Salary Directives of the President pro tempore of the Senate, set out as notes under that section.

§ 61c-2. Compensation of Assistants to the Majority and the Minority in the Office of Secretary of the Senate

The Assistant to the Majority of the Senate and the Assistant to the Minority of the Senate in the Office of the Secretary of the Senate may each be paid a maximum annual rate of compensation not to exceed $36,500.

(Pub. L. 94-59, title I, § 105, July 25, 1975, 89 Stat. 275.)

Prior Provisions

Pub. L. 89-90, § 101, July 27, 1965, 79 Stat. 266, prescribed the basic compensation of the assistants to the Majority and the Minority at not more than $8,160 per annum each effective July 1, 1965.

Effective Date

Section 105 of Pub. L. 94-59 provided in part that this section is effective July 1, 1975.

Increases in Compensation

Increases in compensation for officers and employees of the Senate under authority of the Federal Pay Comparability Act of 1970 (Pub. L. 91-656), see Salary Directives of the President pro tempore of the Senate, set out as notes under section 60a-1 of this title.

Increase for Assistants to Majority and Minority Leaders in Senate

Act May 19, 1956, ch. 313, ch. XII, § 1201, 70 Stat. 175, provided: "That the basic compensation of the assistant to the majority and the assistant to the minority may be fixed by the majority and minority leaders, respectively, at a rate not to exceed $8,820 per annum."

Cross References

Assistants for Secretaries for Majority and Minority during emergencies, see section 61g-2 of this title.

§ 61d. Compensation of the Chaplain of the Senate

Effective July 1, 1973, the compensation of the Chaplain of the Senate shall be $15,232 per annum.

(Pub. L. 93-145, § 101, Nov. 1, 1973, 87 Stat. 528.)

Codification

A prior section 61d, acts Aug. 5, 1955, ch. 568, § 1, 69 Stat. 499; July 12, 1960, Pub. L. 86-628, § 101, 74 Stat. 446; Aug. 14, 1964, Pub. L. 88-426, title II, § 203(h), 78 Stat. 415; Dec. 12, 1969, Pub. L. 91-145, § 101, 83 Stat. 340; Aug. 18, 1970, Pub. L. 91-382, § 101, 84 Stat. 808, made provision for the appointment of a Secretary to the Chaplain of the Senate and prescribed the compensation of the Chaplain of the Senate and the Secretary to the Chaplain of the Senate.

Increases in Compensation in Accordance with Oct. 4, 1973 Order of the President Pro Tempore of the Senate

Section 101 of Pub. L. 93-145 provided in part that the rate of compensation of the Chaplain of the Senate established by Pub. L. 93-145 which, eff. July 1, 1973, set the compensation of the Chaplain of the Senate at $15,232 per annum, is increased, eff. Oct. 1, 1973, in accordance with the Order of the President pro tempore of the Senate of Oct. 4, 1973 set out as a note under section 60a-1 of this title.

Increases in Compensation

Increases in compensation for officers and employees of the Senate under authority of the Federal Pay Comparability Act of 1970 (Pub. L. 91-656), see Salary Directives of the President pro tempore of the Senate, set out as notes under section 60a-1 of this title.

§ 61d-1. Compensation of the Secretary to the Chaplain of the Senate

Effective July 1, 1974, the Chaplain may fix the per annum compensation of the Secretary to the Chaplain of the Senate at not to exceed $12,540 per annum.

(Pub. L. 93-371, § 101, Aug. 13, 1974, 88 Stat. 424.)

Increases in Compensation

Increases in compensation for officers and employees of the Senate under authority of the Federal Pay Comparability Act of 1970 (Pub. L. 91-655), see Salary Directives of the President pro tempore of the Senate, set out as notes under section 60a-1 of this title.

§ 61d-2. Postage allowance for office of Chaplain of the Senate

Effective with fiscal year 1976 and each fiscal year thereafter, the postage allowance for the Office of the Chaplain is increased to $200 per year.

(Pub. L. 94-303, title I, § 114, June 1, 1976, 90 Stat. 614.)

§ 61e. Compensation of Sergeant at Arms and Doorkeeper of the Senate

The Sergeant at Arms and Doorkeeper of the Senate shall be paid at an annual rate of compensation of $40,000.

(Pub. L. 88-426, title II, § 203(g), Aug. 14, 1964, 78 Stat. 415; Pub. L. 93-371, § 101(4), Aug. 13, 1974, 88 Stat. 429; Pub. L. 94-59, title I, § 105, July 25, 1975, 89 Stat. 275.)

Codification

A prior section 61e, act Aug. 5, 1955, c. 568, § 1, 69 Stat. 501, prescribed the gross annual compensation of the Sergeant at Arms of the Senate.

Amendments

1975—Pub. L. 94-59 substituted "an annual rate of compensation of $40,000" for "a rate of $38,760 per annum".

1974—Pub. L. 93-371 substituted provisions authorizing the Sergeant at Arms to be paid at an annual rate of compensation of $38,760, for provisions setting forth the compensation of the Sergeant at Arms at the rate of $27,500 per annum.

Effective Date of 1975 Amendment

Section 105 of Pub. L. 94-59 provided in part that the increase in the rate of compensation of the Sergeant at Arms to $40,000 is effective July 1, 1975.

Effective Date of 1974 Amendment

Amendment by Pub. L. 93-371 effective July 1, 1974, see section 101(4) of Pub. L. 93-371, set out as a note under section 61a of this title.

Effective Date

Section effective on the first day of the first pay period which begins on or after July 1, 1964, except to the extent provided in section 501(c) of Pub. L. 88-426, see section 501 of Pub. L. 88-426.

1974 Adjustment in Compensation Not to Supersede Adjustments in Compensation or Limitations by President Pro Tempore of the Senate

Adjustment in compensation by Pub. L. 93-371 not to supersede order of President pro tempore of the

Senate authorizing higher rate of compensation or any authority of the President pro tempore to adjust rates of compensation or limitations under section 4 of the Federal Pay Comparability Act of 1970, see section 101(4) of Pub. L. 93-371, set out as a note under section 61a of this title.

INCREASES IN COMPENSATION

Increases in compensation for officers and employees of the Senate under authority of the Federal Salary Act of 1967 (Pub. L. 90-206) and the Federal Pay Comparability Act of 1970 (Pub. L. 91-656), see section 60a-1 of this title, and Salary Directives of the President pro tempore of the Senate, set out as notes under that section.

§ 61e-1. Compensation of the Deputy Sergeant at Arms and Doorkeeper of the Senate

The Sergeant at Arms and Doorkeeper may fix the compensation of the Deputy Sergeant at Arms and Doorkeeper at not to exceed $39,909 per annum.

(Pub. L. 94-226, § 1(a), Mar. 9, 1976, 90 Stat. 203.)

EFFECTIVE DATE

Section 1(b) of Pub. L. 94-226 provided that: "Subsection (a) [this section] shall take effect on January 1, 1976, and, notwithstanding any other provision of law, any increase in compensation made under authority of such subsection [this section] may take effect on that date or any date thereafter as prescribed by the Sergeant at Arms and Doorkeeper at the time of making such increase."

CHANGE OF NAME

Section 1(c) of Pub. L. 94-226 provided that: "Effective on the date of enactment of this resolution [Mar. 9, 1976] the title of the Procurement Officer, Auditor, and Deputy Sergeant at Arms is changed to Deputy Sergeant at Arms and Doorkeeper."

AUTHORITY OF PRESIDENT PRO TEMPORE OF THE SENATE TO RAISE OR ADJUST RATE OF COMPENSATION

Section 1(a) of Pub. L. 94-226 provided in part that: "This subsection [this section] does not supersede (1) any provision of an order of the President pro tempore of the Senate authorizing a higher rate of compensation, and (2) any authority of the President pro tempore to adjust the rate of compensation referred to in this subsection [this section] under section 4 of the Federal Pay Comparability Act of 1970 [section 60a-1 of this title]."

§§ 61f, 61f-1. Omitted

Section 61f, acts Aug. 5, 1955, ch. 568, § 1, 69 Stat. 501; June 27, 1956, ch. 453, § 101, 70 Stat. 357; July 1, 1957, Pub. L. 85-75, § 101, 71 Stat. 245; July 31, 1958, Pub. L. 85-570, § 101, 72 Stat. 440; Aug. 21, 1959, Pub. L. 86-176, § 101, 73 Stat. 399; July 12, 1960, Pub. L. 86-628, § 101, 74 Stat. 447; Aug. 10, 1961, Pub. L. 87-130, § 101, 75 Stat. 321; Oct. 2, 1962, Pub. L. 87-730, § 101, 76 Stat. 681; Dec. 30, 1963, Pub. L. 88-248, § 101, 77 Stat. 804, prescribed the basic annual compensation of certain clerical, skilled, and unskilled employees in the office of the Sergeant at Arms and Doorkeeper of the Senate, and is omitted for lack of general applicability.

Section 61f-1, Pub. L. 91-382, § 101, Aug. 18, 1970, 84 Stat. 808, authorized the Sergeant at Arms to employ certain additional personnel and prescribed their compensation, and is omitted for lack of general applicability.

§ 61f-1a. Travel expenses of Sergeant at Arms and Doorkeeper of the Senate

For the purpose of carrying out his duties, the Sergeant at Arms and Doorkeeper of the Senate is authorized to incur official travel expenses not exceeding $10,000 during any fiscal year. With the approval of the Sergeant at Arms and Doorkeeper, the Secretary of the Senate is authorized to advance to any designated employee under the jurisdiction of the Sergeant at Arms and Doorkeeper such sums as may be necessary, not exceeding $1,000, to defray official travel expenses in assisting the Sergeant at Arms and Doorkeeper in carrying out his duties. Any such employee shall, as soon as practicable, furnish to the Sergeant at Arms and Doorkeeper a detailed voucher for such expenses incurred and make settlement with respect to any amount so advanced. For purposes of this section, official travel expenses includes travel expenses incurred in connection with training of employees only if the training has been approved by the Committee on Rules and Administration of the Senate. Payments under this section shall be made from funds included in the appropriation "Miscellaneous Items" under the heading "Contingent Expenses of the Senate" upon vouchers approved by the Sergeant at Arms and Doorkeeper.

(Pub. L. 94-303, title I, § 117, June 1, 1976, 90 Stat. 615.)

§§ 61f-2 to 61f-6. Omitted

Sections have been omitted for lack of general application. Sections were taken from the Legislative Branch Appropriation Act, 1972, the Supplemental Appropriation Act, 1972, the Supplemental Appropriation Act, 1973, the Legislative Branch Appropriation Act, 1974, and the Supplemental Appropriation Act, 1974, respectively, and provided for the appointment and compensation of specified employees of the Senate by the Sergeant at Arms of the Senate.

Section 61f-2, Pub. L. 92-51, § 101, July 9, 1971, 85 Stat. 127, was effective July 1, 1971.

Section 61f-3, Pub. L. 92-184, ch. IV, § 401, Dec. 15, 1971, 85 Stat. 634, was effective Jan. 1, 1972.

Section 61f-4, Pub. L. 92-607, ch. V, § 500, Oct. 31, 1972, 86 Stat. 1504, was effective Nov. 1, 1972.

Section 61f-5, Pub. L. 93-145, § 101, Nov. 1, 1973, 87 Stat. 529, was effective July 1, 1973.

Section 61f-6, Pub. L. 93-245, ch. VI, § 601, Jan. 3, 1974, 87 Stat. 1078, was effective Dec. 1, 1973.

§ 61g. Compensation of Secretaries for the Senate Majority and Minority

The Secretary for the Majority of the Senate (other than the incumbent holding office on July 1, 1975) and the Secretary for the Minority of the Senate shall each be paid at an annual rate of compensation of $39,500. The Secretary for the Majority of the Senate (as long as that position is occupied by such incumbent) may be paid at a maximum annual rate of compensation not to exceed $39,500.

(Pub. L. 93-371, § 101(4), Aug. 13, 1974, 88 Stat. 429; Pub. L. 94-59, title I, § 105, July 25, 1975, 89 Stat. 275.)

CODIFICATION

A prior section 61g, acts Aug. 5, 1955, ch. 568, § 1, 69 Stat. 502; June 27, 1956, ch. 453, § 101, 70 Stat. 357, prescribed the gross annual compensation of the Sec-

retary for the Majority of the Senate and the Secretary for the Minority of the Senate.

AMENDMENTS

1975—Pub. L. 94-59 increased the annual rate of compensation of both the Secretary for the Majority of the Senate and the Secretary for the Minority of the Senate from $38,190 to $39,500 and substituted provisions excepting the incumbent Secretary for the Majority holding office on July 1, 1975, from the mandatory payment of the $39,500 rate but authorizing payment to him as long as he occupies that position at a maximum annual rate of compensation not to exceed $39,500 for provisions excepting the Secretary for the Majority holding office on June 15, 1974, from the mandatory payment of the $38,190 rate but authorizing payment to him as long as he occupied that position at a maximum annual rate of compensation not to exceed $38,190.

EFFECTIVE DATE OF 1975 AMENDMENT

Section 105 of Pub. L. 94-59 provided in part that the increase in the rate of compensation to $39,500 is effective July 1, 1975.

EFFECTIVE DATE

Section effective July 1, 1974, see section 101(4) of Pub. L. 93-371, set out as a note under section 61a of this title.

1974 ADJUSTMENT IN COMPENSATION NOT TO SUPERSEDE ADJUSTMENTS IN COMPENSATION OR LIMITATIONS BY PRESIDENT PRO TEMPORE OF THE SENATE

Adjustment in compensation by Pub. L. 93-371 not to supersede order of President pro tempore of the Senate authorizing higher rate of compensation or any authority of the President pro tempore to adjust rates of compensation or limitations under section 4 of the Federal Pay Comparability Act of 1970, see section 101(4) of Pub. L. 93-371, set out as a note under section 61a of this title.

INCREASES IN COMPENSATION

Increases in compensation for officers and employees of the Senate under authority of the Federal Pay Comparability Act of 1970 (Pub. L. 91-656), see Salary Directives of the President pro tempore of the Senate, set out as notes under section 60a-1 of this title.

1964 INCREASE IN GROSS ANNUAL COMPENSATION

Rates of gross compensation of Secretary for the Majority of the Senate and the Secretary for the Minority of the Senate, see section 202(f), (g) of Pub. L. 88-426, title II, Aug. 14, 1964, 78 Stat. 414, set out as a note under section 60a-1 of this title.

§ 61g-1. Omitted

CODIFICATION

Section, Pub. L. 89-691, title IV, § 404, Oct. 15, 1966, 80 Stat. 1024, which authorized, effective Oct. 1, 1966, the Majority Leader of the Senate to fix the gross compensation of the Secretary for the Majority at not to exceed $25,611.05 per annum so long as the position is held by the present incumbent, has been omitted as superseded by section 61g of this title.

§ 61g-2. Appointment and compensation of assistants for Secretaries for Majority and Minority during emergencies

Effective July 1, 1975, and each fiscal year thereafter, the Secretaries for the Majority and Minority may each appoint and fix the compensation of an assistant during emergencies at rates of compensation not exceeding, in the aggregate at any time, $20,234 per annum, for not more than six months in each fiscal year.

(Pub. L. 94-59, title I, § 100, July 25, 1975, 89 Stat. 272.)

INCREASES IN COMPENSATION

Increases in compensation for officers and employees of the Senate under authority of the Federal Pay Comparability Act of 1970 (Pub. L. 91-656), see Salary Directives of the President pro tempore of the Senate, set out as notes under section 60a-1 of this title.

CROSS REFERENCES

Assistants to the Majority and Minority, see section 61c-2 of this title.

§ 61h. Compensation of Assistant Secretary for the Majority of the Senate and Assistant Secretary for the Minority of the Senate

The Assistant Secretary for the Majority of the Senate and the Assistant Secretary for the Minority of the Senate may each be paid at a maximum annual rate of compensation not to exceed $37,500.

(Pub. L. 93-371, § 101(4), Aug. 13, 1974, 88 Stat. 429; Pub. L. 94-59, title I, § 105, July 25, 1975, 89 Stat. 275.)

CODIFICATION

A prior section 61h, acts Aug. 5, 1955, ch. 568, § 1, 69 Stat. 502; June 27, 1956, ch. 453, § 101, 70 Stat. 357; Aug. 21, 1959, Pub. L. 86-176, § 101, 73 Stat. 399; Aug. 10, 1961, Pub. L. 87-130, § 101, 75 Stat. 321; July 27, 1965, Pub. L. 89-90, § 101, 79 Stat. 266, authorized the basic per annum compensation of the Assistant Secretary for the Majority of the Senate and the Assistant Secretary for the Minority of the Senate to be fixed by the respective Secretaries.

AMENDMENTS

1975—Pub. L. 94-59 substituted "$37,500" for "$36,765."

EFFECTIVE DATE OF 1975 AMENDMENT

Section 105 of Pub. L. 94-59 provided in part that the increase in the rate of compensation of the Assistant Secretaries for the Majority and Minority of the Senate to $37,500 is effective July 1, 1975.

EFFECTIVE DATE

Section effective July 1, 1974, see section 101(4) of Pub. L. 93-371, set out as a note under section 61a of this title.

1974 ADJUSTMENT IN COMPENSATION NOT TO SUPERSEDE ADJUSTMENTS IN COMPENSATION OR LIMITATIONS BY PRESIDENT PRO TEMPORE OF THE SENATE

Adjustment in compensation by Pub. L. 93-371 not to supersede order of President pro tempore of the Senate authorizing higher rate of compensation or any authority of the President pro tempore to adjust rates of compensation or limitations under section 4 of the Federal Pay Comparability Act of 1970, see section 101(4) of Pub. L. 93-371, set out as a note under section 61a of this title.

INCREASES IN COMPENSATION

Increases in compensation for officers and employees of the Senate under authority of the Federal Pay Comparability Act of 1970 (Pub. L. 91-656), see Salary Directives of the President pro tempore of the Senate, set out as notes under section 60a-1 of this title.

§ 61h-1. Compensation of Administrative Assistant in Office of Majority Leader of the Senate and Office of Minority Leader of the Senate

The Administrative Assistant in the Office of the Majority Leader of the Senate and the Ad-

ministrative Assistant in the Office of the Minority Leader of the Senate may each be paid at a maximum annual rate of compensation not to exceed $38,000.

(Pub. L. 93-371, § 101(4), Aug. 13, 1974, 88 Stat. 429; Pub. L. 94-59, title I, § 105, July 25, 1975, 89 Stat. 275.)

CODIFICATION

A prior section 61h-1, Pub. L. 91-145, § 101, Dec. 12, 1969, 83 Stat. 339, authorized the majority and minority leaders of the Senate to each appoint and fix the compensation of an administrative assistant, a legislative assistant, an executive secretary, and a clerical assistant in lieu of the positions heretofore authorized by Senate Resolution 158, agreed to December 9, 1941, Pub. L. 86-30, approved May 20, 1959, and Senate Resolution 240, agreed to January 24, 1952.

AMENDMENTS

1975—Pub. L. 94-59 substituted "$38,000" for "$36,765".

EFFECTIVE DATE OF 1975 AMENDMENT

Section 105 of Pub. L. 94-59 provided in part that the increase in the rate of compensation of the Administrative Assistant in the Office of the Majority Leader of the Senate and of the Administrative Assistant in the Office of the Minority Leader of the Senate to $38,000 is effective July 1, 1975.

EFFECTIVE DATE

Section effective July 1, 1974, see section 101(4) of Pub. L. 93-371, set out as a note under section 61a of this title.

1974 ADJUSTMENT IN COMPENSATION NOT TO SUPERSEDE ADJUSTMENTS IN COMPENSATION OR LIMITATIONS BY PRESIDENT PRO TEMPORE OF THE SENATE

Adjustment in compensation by Pub. L. 93-371 not to supersede order of President pro tempore of the Senate authorizing higher rate of compensation or any authority of the President pro tempore to adjust rates of compensation or limitations under section 4 of the Federal Pay Comparability Act of 1970, see section 101(4) of Pub. L. 93-371, set out as a note under section 61a of this title.

INCREASES IN COMPENSATION

Increases in compensation for officers and employees of the Senate under authority of the Federal Pay Comparability Act of 1970 (Pub. L. 91-656), see Salary Directives of the President pro tempore of the Senate, set out as notes under section 60a-1 of this title.

§ 61h-2. Compensation of Legislative Assistants in Offices of Majority Leader and Minority Leader of Senate

The Legislative Assistant in the Office of the Majority Leader of the Senate and the Legislative Assistant in the Office of the Minority Leader of the Senate may each be paid a maximum annual rate of compensation not to exceed $36,500.

(Pub. L. 94-59, title I, § 105, July 25, 1975, 89 Stat. 275.)

EFFECTIVE DATE

Section 105 of Pub. L. 94-59 provided in part that this section is effective July 1, 1975.

INCREASES IN COMPENSATION

Increases in compensation for officers and employees of the Senate under authority of the Federal Pay Comparability Act of 1970 (Pub. L. 91-656), see Salary Directives of the President pro tempore of the Senate, set out as notes under section 60a-1 of this title.

§ 61h-3. Executive Secretaries and Clerical Assistants in Offices of Majority and Minority Leaders of the Senate; authority to appoint; compensation

Effective July 1, 1975, the Majority and Minority Leaders may each appoint and fix the compensation of an executive secretary at not to exceed $24,160 per annum in lieu of $20,838 per annum and a clerical assistant at not to exceed $20,838 per annum in lieu of $17,818 per annum.

(Pub. L. 94-59, title I, § 100, July 25, 1975, 89 Stat. 269.)

§ 61i. Omitted

CODIFICATION

Section, Pub. L. 86-30, title I, § 101, May 20, 1959, 73 Stat. 48, the Second Supplemental Appropriation Act, 1959, authorized the majority and minority leaders of the Senate to fix, effective May 1, 1959, the basic salaries of research assistants authorized by S. Res. 158, agreed to Dec. 9, 1941, at not to exceed $8,820 per annum. The provision is now covered by section 61h-1 of this title.

§ 61j. Compensation of Administrative Assistant in Office of Majority Whip of the Senate and Office of Minority Whip of the Senate

The Administrative Assistant in the Office of the Majority Whip of the Senate and the Administrative Assistant in the Office of the Minority Whip of the Senate, may each be paid at a maximum annual rate of compensation not to exceed $37,000.

(Pub. L. 93-371, § 101(4), Aug. 13, 1974, 88 Stat. 429; Pub. L. 94-59, title I, § 105, July 25, 1975, 89 Stat. 275.)

CODIFICATION

A prior section 61j, Pub. L. 91-145, § 101, Dec. 12, 1969, 83 Stat. 339, authorized the majority and minority whips of the Senate to each appoint and fix the compensation of an administrative assistant and an executive secretary.

AMENDMENTS

1975—Pub. L. 94-59 substituted "$37,000" for "$35,625."

EFFECTIVE DATE OF 1975 AMENDMENT

Section 105 of Pub. L. 94-59 provided in part that the increase in the rate of compensation of the Administrative Assistants in the Offices of the Majority and Minority Whips of the Senate to $37,000 is effective July 1, 1975.

EFFECTIVE DATE

Section effective July 1, 1974, see section 101(4) of Pub. L. 93-371, set out as a note under section 61a of this title.

1974 ADJUSTMENT IN COMPENSATION NOT TO SUPERSEDE ADJUSTMENTS IN COMPENSATION OR LIMITATIONS BY PRESIDENT PRO TEMPORE OF THE SENATE

Adjustment in compensation by Pub. L. 93-371 not to supersede order of President Pro Tempore of the Senate authorizing higher rate of compensation or any authority of the President Pro Tempore to adjust rates of compensation or limitations under section 4 of the Federal Pay Comparability Act of 1970, see section 101(4) of Pub. L. 93-371, set out as a note under section 61a of this title.

INCREASES IN COMPENSATION

Increases in compensation for officers and employees of the Senate under authority of the Federal Pay Comparability Act of 1970 (Pub. L. 91-656), see Salary Directives of the President pro tempore of the Senate, set out as notes under section 60a-1 of this title.

§ 61j-1. Legislative Assistants in Offices of Majority and Minority Whips of the Senate; authority to appoint; compensation

Effective July 1, 1975, the Majority and Minority Whips may each appoint and fix the compensation of a legislative assistant at not to exceed $34,881 per annum.

(Pub. L. 94-59, title I, § 100, July 25, 1975, 89 Stat. 270.)

INCREASES IN COMPENSATION

Increases in compensation for officers and employees of the Senate under authority of the Federal Pay Comparability Act of 1970 (Pub. L. 91-656), see Salary Directives of the President pro tempore of the Senate, set out as notes under section 60a-1 of this title.

§ 62. Limitation on compensation of Sergeant at Arms and Doorkeeper of the Senate

The Sergeant at Arms and Doorkeeper of the Senate shall receive, directly or indirectly, no fees or other compensation or emolument whatever for performing the duties of the office, or in connection therewith, other than the salary prescribed by law.

(June 20, 1874, ch. 328, § 1, 18 Stat. 85; Mar. 3, 1875, ch. 129, § 1, 18 Stat. 344.)

§ 62a. Omitted

CODIFICATION

Section, act May 1, 1947, ch. 49, title I, § 101, 61 Stat. 58, omitted as obsolete because the Surplus Property Act of 1944, former sections 1611 to 1648 of Appendix to Title 50, War and National Defense, was repealed by act June 30, 1949, ch. 288, title V, § 503, 63 Stat. 399, and the priorities thereunder expired Dec. 31, 1949.

§ 62b. Transferred

CODIFICATION

Section transferred to section 81a of this title.

§ 63. Duties of Senate Doorkeeper

The Doorkeeper of the Senate shall perform the usual services pertaining to his office during the session of Congress, and shall in the recess, under the direction of the Secretary of the Senate, take care of the apartments occupied by the Senate.

(R.S. § 73.)

PRIOR PROVISIONS

Act Apr. 12, 1792, ch. 20, 1 Stat. 252.

CROSS REFERENCES

Doorkeeper of House of Representatives, see section 76 of this title.

§ 64. Omitted

CODIFICATION

Section, R.S. § 56, authorizing payment on requisitions drawn by the Secretary of the Senate of moneys appropriated for compensation of Senate members and officers and for contingent Senate expenses, was omitted as obsolete in view of the abolition of appropriation for the fund provided for in this section on and after July 1, 1935 and the authorization of annual definite appropriations by Act June 26, 1934, ch. 756, § 14, 48 Stat. 1230.

§ 64-1. Employees of Senate Disbursing Office; designation by Secretary of the Senate to administer oaths and affirmations

The Secretary of the Senate is on and after November 1, 1973, authorized to designate, in writing, employees of the Disbursing Office of the Senate to administer oaths and affirmations, with respect to matters relating to that Office, authorized or required by law or rules or orders of the Senate (including the oath of office required by section 3331 of title 5). During any period in which he is so designated, any such employee may administer such oaths and affirmations.

(Pub. L. 93-145, § 101, Nov. 1, 1973, 87 Stat. 532.)

§ 64a. Death, resignation, or disability of Secretary of Senate; Financial Clerk deemed successor as disbursing officer

In the event of the death, resignation, or disability of the Secretary of the Senate, the Financial Clerk of the Senate shall be deemed his successor as a disbursing officer and he shall serve as such disbursing officer until the end of the quarterly period during which a new Secretary shall have been elected and qualified, or such disability shall have been ended.

(Mar. 3, 1926, ch. 44, § 1, 44 Stat. 162; Oct. 31, 1969, Pub. L. 91-105, § 2, 83 Stat. 169; Aug. 18, 1970, Pub. L. 91-382, § 101, 84 Stat. 810; June 6, 1972, Pub. L. 92-310, title II, § 220(g), 86 Stat. 204.)

AMENDMENTS

1972—Pub. L. 92-310 eliminated provisions which related to the bond of the Financial Clerk.

1970—Pub. L. 91-382 substituted "Financial Clerk" for "Comptroller".

1969—Pub. L. 91-105 substituted the Comptroller of the Senate for the Financial Clerk of the Senate as the successor of the Secretary of the Senate in the event of the death, resignation, or disability of the Secretary.

EFFECTIVE DATE OF 1970 AMENDMENT

Section 101 of Pub. L. 91-382 provided in part that the amendment by section 101 of Pub. L. 91-382 is effective Aug. 1, 1970.

CERTIFICATION OF DISABILITY

Secretary of the Senate to be considered as disabled for purposes of this section only during such period of time as the Majority and Minority Leaders and the President pro tempore of the Senate certify jointly to the Senate that he is unable to perform his duties, see section 64b of this title.

CROSS REFERENCES

Clerk of House, death, resignation, etc., see section 75a of this title.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 64b of this title.

§ 64a-1. Compensation of Financial Clerk of the Senate.

The Financial Clerk of the Senate may be paid at a maximum annual rate of compensation not to exceed $39,000.

(Pub. L. 93-371, § 101(4), Aug. 13, 1974, 88 Stat. 429; Pub. L. 94-59, title I, § 105, July 25, 1975, 89 Stat. 275.)

AMENDMENTS

1975—Pub. L. 94-59 substituted "$39,000" for "$37,620".

EFFECTIVE DATE OF 1975 AMENDMENT

Section 105 of Pub. L. 94-59 provided in part that the increase in the rate of compensation for the Financial Clerk to $39,000 is effective July 1, 1975.

EFFECTIVE DATE

Section effective July 1, 1974, see section 101(4) of Pub. L. 93-371, set out as a note under section 61a of this title.

1974 ADJUSTMENT IN COMPENSATION NOT TO SUPERSEDE ADJUSTMENTS IN COMPENSATION OR LIMITATIONS BY PRESIDENT PRO TEMPORE OF THE SENATE

Adjustment in compensation by Pub. L. 93-371 not to supersede order of President pro tempore of the Senate authorizing higher rate of compensation or any authority of the President pro tempore to adjust rates of compensation or limitations under section 4 of the Federal Pay Comparability Act of 1970, see section 101(4) of Pub. L. 93-371, set out as a note under section 61a of this title.

INCREASES IN COMPENSATION

Increases in compensation for officers and employees of the Senate under authority of the Federal Pay Comparability Act of 1970 (Pub. L. 91-656), see Salary Directives of the President pro tempore of the Senate, set out as notes under section 60a-1 of this title.

§ 64b. Death, resignation, or disability of Secretary of Senate; Assistant Secretary of the Senate to act as Secretary in all matters except those of disbursing officer; written designation of absent status

In the event of the death, resignation, or disability of the Secretary of the Senate, the Assistant Secretary of the Senate shall act as Secretary in carrying out the duties and responsibilities of that office in all matters, except those matters relating to the Secretary's duties as disbursing officer of the Senate, until such time as a new Secretary shall have been elected and qualified or such disability shall have been ended. For purposes of this section and section 64a of this title, the Secretary of the Senate shall be considered as disabled only during such period of time as the Majority and Minority Leaders and the President pro tempore of the Senate certify jointly to the Senate that the Secretary is unable to perform his duties. In the event that the Secretary of the Senate is absent or is to be absent for reasons other than disability (as provided in this paragraph), and makes a written designation that he is or will be so absent, the Assistant Secretary shall act during such absence as the Secretary in carrying out the duties and responsibilities of the office in all matters, except those matters relating to the Secretary's duties as such disbursing officer. The designation may be revoked in writing at any time by the Secretary, and is revoked whenever the Secretary making the designation dies, resigns, or is considered disabled in accordance with this paragraph.

(Pub. L. 92-184, ch. IV, § 401, Dec. 15, 1971, 85 Stat. 635; Pub. L. 93-371, § 101(1), Aug. 13, 1974, 88 Stat. 427.)

AMENDMENTS

1974—Pub. L. 93-371 added provisions relating to the absence of the Secretary of the Senate for reasons other than disability and the written designation of such absent status.

§ 65. Repealed. Pub. L. 92-310, title II, § 220(a), (c), June 6, 1972, 86 Stat. 204

Section, R.S. §§ 57, 59; acts Mar. 2, 1895, ch. 177, § 5, 28 Stat. 807; Oct. 31, 1951, ch. 655, § 13, 65 Stat. 715, required the Secretary of the Senate to give a bond in the sum of $20,000.

§ 65a. Insurance of office funds of Secretary of the Senate and Sergeant at Arms; payment of premiums

The Secretary of the Senate and the Sergeant at Arms on and after June 27, 1956 are authorized and directed to protect the funds of their respective offices by purchasing insurance in an amount necessary to protect said funds against loss. Premiums on such insurance shall be paid out of the contingent fund of the Senate, upon vouchers approved by the chairman of the Committee on Rules and Administration.

(June 27, 1956, ch. 453, § 101, 70 Stat. 360.)

SIMILAR PROVISIONS

Section is from the Legislative Branch Appropriation Act, 1957, act June 27, 1956. Similar provisions, apparently on a fiscal year basis, were contained in the following prior appropriation acts:
Aug. 5, 1955, ch. 568, § 1, 69 Stat. 504.
July 2, 1954, ch. 455, title I, § 101, 68 Stat. 400.
Aug. 1, 1953, ch. 304, title I, § 101, 67 Stat. 321.
July 9, 1952, ch. 598, § 101, 66 Stat. 467.
Oct. 11, 1951, ch. 485, § 101, 65 Stat. 391.
Sept. 6, 1950, ch. 896, ch. II, § 101, 64 Stat. 597.
June 22, 1949, ch. 235, § 101, 63 Stat. 219.
June 14, 1948, ch. 467, § 101, 62 Stat. 425.

§ 65b. Advances to Sergeant at Arms of the Senate for extraordinary expenses

The Secretary of the Senate on and after July 31, 1958 is authorized, in his discretion, to advance to the Sergeant at Arms of the Senate such sums as may be necessary, not exceeding $4,000, during any fiscal year, to meet any extraordinary expenses of the Senate.

(Pub. L. 85-570, § 101, July 31, 1958, 72 Stat. 442; Pub. L. 94-440, title I, § 108, Oct. 1, 1976, 90 Stat. 1445.)

AMENDMENTS

1976—Pub. L. 94-440 substituted "$4,000 during any fiscal year" for "$2,000".

§ 66. Repealed. Pub. L. 93-344, title V, § 505(1), July 12, 1974, 88 Stat. 322

Section, R.S. § 237; acts Oct. 1, 1890, ch. 1256, § 9, 26 Stat. 646; June 19, 1934, ch. 648, title I, § 1, 48 Stat. 1022, directed that the fiscal year for the adjustment of accounts of the Secretary of the Senate for compensation and mileage of Senators extend from July 1 to June 30.

EFFECTIVE DATE OF REPEAL

Repeal effective July 12, 1974, see section 905 of Pub. L. 93-344, set out as a note under section 1301 of Title 31, Money and Finance.

§ 66a. Restriction on payment of dual compensation by Secretary of the Senate

Unless otherwise specifically authorized by law, no part of any appropriation disbursed by the Secretary of the Senate shall be available for payment of compensation to any person holding any position, for any period for which such person received compensation for holding any other position, the compensation for which is disbursed by the Secretary of the Senate.

(June 27, 1956, ch. 453, § 101, 70 Stat. 360.)

§ 67. Clerks to Senators-elect

A Senator entitled to receive his own salary may appoint the usual clerical assistants allowed Senators.

(Mar. 2, 1895, ch. 177, § 1, 28 Stat. 766; Feb. 20, 1923, ch. 98, 42 Stat. 1266; June 19, 1934, ch. 648, title I, § 1, 48 Stat. 1022.)

AMENDMENTS

1934—Act June 19, 1934, deleted provisions as to maximum of four clerical assistants and as to their compensation.

§ 67a. Employment of civilian employees of executive branch of Government by Senate Committee on Appropriations; restoration to former position

Whenever any person has left or leaves any civilian position in any department or agency in the executive branch of the Government in order to accept employment by the Senate Committee on Appropriations, he shall be carried on the rolls of such committee and shall be solely employed by such committee, and responsible only to it; but he shall be entitled upon making application to the Civil Service Commission within thirty days after the termination of his employment by such committee (unless such employment is terminated for cause) to be restored to a position in the same or any other department or agency where an opening exists, comparable to the position which, according to the records of the department or agency which he left to accept employment by the Senate Committee on Appropriations or in the judgment of the Civil Service Commission, such person would be occupying if he had remained in the employ of such department or agency during the time he was employed by such committee; and such person shall be restored to such position with the same seniority, status, and pay as if he had remained in the employ of the department or agency which he left, during such time. This section shall not be construed to require any person to be restored to a position in any department or agency after the expiration of the time for which he was appointed to the position which he left to accept employment by such committee.

(June 13, 1945, ch. 189, § 1, 59 Stat. 243; July 1, 1946, ch. 530, § 101, 60 Stat. 392.)

AMENDMENTS

1946—Act July 1, 1946, re-enacted section without change.

§ 68. Payments from contingent fund of Senate

No payment shall be made from the contingent fund of the Senate unless sanctioned by the Committee on Rules and Administration of the Senate. Payments made upon vouchers or abstracts of disbursements of salaries approved by said Committee shall be deemed, held, and taken, and are declared to be conclusive upon all the departments and officers of the Government: *Provided*, That no payment shall be made from said contingent fund as additional salary or compensation to any officer or employee of the Senate.

(Oct. 2, 1888, ch. 1069, 25 Stat. 546; Aug. 2, 1946, ch. 753, § 102, 60 Stat. 814; Dec. 27, 1974, Pub. L. 93-554, title I, ch. III, § 101, 88 Stat. 1776.)

AMENDMENTS

1974—Pub. L. 93-554 added provision relating to applicability to payments made upon abstracts of disbursements of salaries.

1946—Act Aug. 2, 1946, substituted the "Committee on Rules and Administration" for "Committee to Audit and Control Contingent Expenses".

EFFECTIVE DATE OF 1974 AMENDMENT

Section 101 of Pub. L. 93-554 provided in part that amendment by Pub. L. 93-554 is effective Jan. 1, 1975.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 601 of this title.

§ 68-1. Designation of Committee employee to approve vouchers for payments from Senate contingent fund

The Committee on Rules and Administration may authorize its chairman to designate one committee employee to approve in his behalf, all vouchers making payments from the contingent fund of the Senate, such approval to be deemed and held to be approval by the Committee on Rules and Administration for all intents and purposes.

(Pub. L. 93-145, § 101, Nov. 1, 1973, 87 Stat. 529.)

§ 68a. Materials, supplies, and fuel payments from Senate contingent fund

Payments from the contingent fund of the Senate for materials and supplies (including fuel) purchased on and after July 8, 1935, through the Administrator of General Services shall be made by check upon vouchers approved by the Committee on Rules and Administration of the Senate.

(July 8, 1935, ch. 374, § 1, 49 Stat. 463; Aug. 2, 1946, ch. 753, title I, § 102, 60 Stat. 814; June 30, 1949, ch. 288, title I, § 102(a), 63 Stat. 380.)

AMENDMENTS

1949—Act June 30, 1949, abolished the Bureau of Federal Supply and transferred its functions and duties to the Administrator of General Services.

1946—Act Aug. 2, 1946, substituted the "Committee on Rules and Administration" for "Committee to Audit and Control Contingent Expenses".

CHANGE OF NAME

Effective Jan. 1, 1947, the name of the Procurement Division of the Treasury Department was changed to the Bureau of Federal Supply by former regulation § 5.7 of subpart A of Part 5 of Title 41, Public Contracts, 11 F.R. 13638, issued by the Secretary of the Treasury.

The Bureau of Federal Supply and its functions and duties were transferred to the Administrator of General Services by act June 30, 1949.

§ 68b. Per diem and subsistence expenses from Senate contingent fund

No part of the appropriations made under the heading "Contingent Expenses of the Senate" on and after June 27, 1956 may be expended for per diem and subsistence expenses (as defined in section 5701 of title 5) at rates in excess of $35 per day; except that (1) higher rates may be established by the Committee on Rules and Administration for travel beyond the limits of the continental United States, and (2) in accordance with regulations prescribed by the Committee on Rules and Administration of the Senate, reimbursement for such expenses may be made on an actual expense basis of not to exceed $50 per day in the case of travel within the continental limits of the United States.

(June 27, 1956, ch. 453, § 101, 70 Stat. 360; Aug. 14, 1961, Pub. L. 87-139, § 7, 75 Stat. 340; Nov. 10, 1969, Pub. L. 91-114, § 3, 83 Stat. 190; May 19, 1975, Pub. L. 94-22, § 8, 89 Stat. 86.)

CODIFICATION

The words "section 5701 of title 5" were substituted for "the Travel Expense Act of 1949" on authority of section 7(b) of Pub. L. 89-554, Sept. 6, 1966, 80 Stat. 631, section 1 of which enacted Title 5, Government Organization and Employees.

AMENDMENTS

1975—Pub. L. 94-22 substituted "$35" and "$50" for "$25" and "$40", respectively.

1969—Pub. L. 91-114 increased the maximum per diem rate from $16 to $25 and actual expense rate from $30 to $40.

1961—Pub. L. 87-139 increased the maximum per diem rate from $12 to $16 and actual expense rate from $25 to $30.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 58 of this title.

§ 68c. Computation of compensation for stenographic assistance of committees payable from Senate contingent fund

Compensation for stenographic assistance of committees paid out of the items under "Contingent Expenses of the Senate" on and after June 27, 1956 shall be computed at such rates and in accordance with such regulations as may be prescribed by the Committee on Rules and Administration, notwithstanding, and without regard to any other provision of law.

(June 27, 1956, ch. 453, § 101, 70 Stat. 360.)

§ 69. Expenses of committees payable from Senate contingent fund

When any duty is imposed upon a committee involving expenses that are ordered to be paid out of the contingent fund of the Senate, upon vouchers to be approved by the chairman of the committee charged with such duty, the receipt of such chairman for any sum advanced to him or his order out of said contingent fund by the Secretary of the Senate for committee expenses not involving personal services shall be taken and passed by the accounting officers of the Government as a full and sufficient voucher; but it shall be the duty of such chairman, as soon as practicable, to furnish to the Secretary of the Senate vouchers in detail for the expenses so incurred.

(R.S. § 236; Mar. 3, 1879, ch. 183, 20 Stat. 419; June 10, 1921, ch. 18, § 305, 42 Stat. 24; June 22, 1949, ch. 235, § 101, 63 Stat. 218.)

AMENDMENTS

1949—Act June 22, 1949, inserted "for committee expenses not involving personal services" following "Secretary of the Senate", and omitted the requirement that the Secretary of the Senate file the vouchers with the General Accounting Office.

TRANSFER OF FUNCTIONS

Act June 10, 1921, vested in and imposed upon the General Accounting Office the powers and duties of the accounting officers of the Treasury.

CROSS REFERENCES

Payments from contingent fund of Senate not to be made unless sanctioned, the vouchers of which are declared conclusive upon all departments of Government, see section 68 of this title.

§§ 70 to 72. Omitted

CODIFICATION

Section 70, act July 16, 1914, ch. 141, § 1, 38 Stat. 456, repealed resolutions passed prior to July 1, 1914, authorizing payment for clerical and messenger service.

Section 71, act July 11, 1919, ch. 6, § 1, 41 Stat. 57, was a provision in the Third Deficiency Act of 1919 authorizing the Secretary of the Army to transfer to the Sergeant at Arms of the Senate motor equipment no longer required by the War Department.

It is the opinion of the Department of the Army the section was intended to cover only surplus Army material on hand following World War I.

Section 72, acts Mar. 4, 1925, ch. 549, § 1, 43 Stat. 1291; May 13, 1926, ch. 294, § 1, 44 Stat. 542; Feb. 23, 1927, ch. 168, § 1, 44 Stat. 1152; May 14, 1928, ch. 551, § 1, 45 Stat. 522; Feb. 28, 1929, ch. 367, § 1, 45 Stat. 1392; June 6, 1930, ch. 407, § 1, 46 Stat. 509; Feb. 20, 1931, ch. 234, § 1, 46 Stat. 1179; June 30, 1932, ch. 314, § 1, 47 Stat. 387; Feb. 28, 1933, ch. 134, § 1, 47 Stat. 1356, related to Committee employees after termination of Congress, and was limited to the Legislative Branch Appropriation Acts of which it was a part, having been omitted from such acts subsequent to 1933.

§ 72a. Committee staffs

(a) Appointment of professional members; number; qualifications; termination of employment

Each standing committee of the Senate (other than the Committee on Appropriations) is authorized to appoint, by majority vote of the committee, not more than six professional staff members in addition to the clerical staffs. Such professional staff members shall be assigned to the chairman and the ranking minority member of such committee as the committee may deem advisable, except that whenever a majority of the minority members of such committee so request, two of such professional staff members may be selected for appointment by majority vote of the minority members and the committee shall appoint any staff members

so selected. A staff member or members appointed pursuant to a request by the minority members of the committee shall be assigned to such committee business as such minority members deem advisable. Services of professional staff members appointed by majority vote of the committee may be terminated by a majority vote of the committee and services of professional staff members appointed pursuant to a request by the minority members of the committee shall be terminated by the committee when a majority of such minority members so request. Professional staff members authorized by this subsection shall be appointed on a permanent basis, without regard to political affiliation, and solely on the basis of fitness to perform the duties of their respective positions. Such professional staff members shall not engage in any work other than committee business and no other duties may be assigned to them.

(b) Professional members for Committee on Appropriations; examinations of executive agencies' operation

Subject to appropriations which it shall be in order to include in appropriation bills, the Committee on Appropriations of each House is authorized to appoint such staff, in addition to the clerk thereof and assistants for the minority, as each such committee, by a majority vote, shall determine to be necessary, such personnel, other than the minority assistants, to possess such qualifications as the committees respectively may prescribe, and the Committee on Appropriations of the House also is authorized to conduct studies and examinations of the organization and operation of any executive agency (including any agency the majority of the stock of which is owned by the Government of the United States) as it may deem necessary to assist it in connection with the determination of matters within its jurisdiction and in accordance with procedures authorized by the committee by a majority vote, including the rights and powers conferred by House Resolution Numbered 50, adopted January 9, 1945.

(c) Clerical employees; appointment; number; duties; termination of employment

The clerical staff of each standing committee of the Senate (other than the Committee on Appropriations), which shall be appointed by a majority vote of the committee, shall consist of not more than six clerks to be attached to the office of the chairman, to the ranking minority member, and to the professional staff, as the committee may deem advisable, except that whenever a majority of the minority members of such committee so requests, one of the members of the clerical staff may be selected for appointment by majority vote of such minority members and the committee shall appoint any staff member so selected. The clerical staff shall handle committee correspondence and stenographic work, both for the committee staff and for the chairman and ranking minority member on matters related to committee work, except that if a member of the clerical staff is appointed pursuant to a request by the minority members of the committee, such clerical staff member shall handle committee correspondence and stenographic work for the minority members of the committee and for any members of the committee staff appointed under subsection (a) of this section pursuant to request by such minority members, on matters related to committee work. Services of clerical staff members appointed by majority vote of the committee may be terminated by majority vote of the committee and services of clerical staff members appointed pursuant to a request by the minority members of the committee shall be terminated by the committee when a majority of such minority members so request.

(d) Recordation of committee hearings, data, etc.; access to records

All committee hearings, records, data, charts, and files shall be kept separate and distinct from the congressional office records of the Member serving as chairman of the committee; and such records shall be the property of the Congress and all members of the committee and the respective Houses shall have access to such records. Each committee is authorized to have printed and bound such testimony and other data presented at hearings held by the committee.

(e) Repealed. Pub. L. 91-510, title IV, § 477(a)(3), Oct. 26, 1970, 84 Stat. 1195

(f) Limitations on appointment of professional members

No committee shall appoint to its staff any experts or other personnel detailed or assigned from any department or agency of the Government, except with the written permission of the Committee on Rules and Administration of the Senate or the Committee on House Administration of the House of Representatives, as the case may be.

(g) Appointments when no vacancy exists; payment from contingent fund of the Senate

In any case in which a request for the appointment of a minority staff member under subsection (a) or subsection (c) of this section is made at any time when no vacancy exists to which the appointment requested may be made—

(1) the person appointed pursuant to such a request under subsection (a) of this section may serve in addition to any other professional staff members authorized by such subsection and may be paid from the contingent fund of the Senate until such time as such a vacancy occurs, at which time such person shall be considered to have been appointed to such vacancy; and

(2) the person appointed pursuant to such a request under subsection (c) of this section may serve in addition to any other clerical staff members authorized by such subsection and may be paid, until otherwise provided, from the contingent fund of the Senate.

(h) Salary rates, assignment of facilities, and accessibility of committee records for minority staff appointees

Staff members appointed pursuant to a request by minority members of a committee under subsection (a) or subsection (c) of this section, and staff members appointed to assist minority members of subcommittees pursuant to authority of Senate resolution, shall be accorded equitable treatment with respect to the

fixing of salary rates, the assignment of facilities, and the accessibility of committee records.

(i) Consultants for Senate and House standing committees; procurement of temporary or intermittent services; contracts; advertisement requirements inapplicable; selection method; qualifications report to congressional committees

(1) Each standing committee of the Senate or House of Representatives is authorized, with the approval of the Committee on Rules and Administration in the case of standing committees of the Senate, or the Committee on House Administration in the case of standing committees of the House of Representatives, within the limits of funds made available from the contingent funds of the respective Houses pursuant to resolutions, which shall specify the maximum amounts which may be used for such purpose, approved by such respective Houses, to procure the temporary services (not in excess of one year) or intermittent services of individual consultants, or organizations thereof, to make studies or advise the committee with respect to any matter within its jurisdiction.

(2) Such services in the case of individuals or organizations may be procured by contract as independent contractors, or in the case of individuals by employment at daily rates of compensation not in excess of the per diem equivalent of the highest gross rate of compensation which may be paid to a regular employee of the committee. Such contracts shall not be subject to the provisions of section 5 of title 41 or any other provision of law requiring advertising.

(3) With respect to the standing committees of the Senate, any such consultant or organization shall be selected by the chairman and ranking minority member of the committee, acting jointly. With respect to the standing committees of the House of Representatives, the standing committee concerned shall select any such consultant or organization. The committee shall submit to the Committee on Rules and Administration in the case of standing committees of the Senate, and the Committee on House Administration in the case of standing committees of the House of Representatives, information bearing on the qualifications of each consultant whose services are procured pursuant to this subsection, including organizations, and such information shall be retained by that committee and shall be made available for public inspection upon request.

(j) Specialized training for professional staffs of Senate and House standing committees, Senate Appropriations Committee, Senate Majority and Minority Policy Committees, and joint committees whose funding is disbursed by the Secretary of the Senate or the Clerk of the House; assistance: pay, tuition, etc. while training; continued employment agreement; service credit: retirement, life insurance and health insurance

(1) Each standing committee of the Senate or House of Representatives is authorized, with the approval of the Committee on Rules and Administration in the case of standing committees of the Senate, and the Committee on House Administration in the case of standing committees of the House of Representatives, and within the limits of funds made available from the contingent funds of the respective Houses pursuant to resolutions, which shall specify the maximum amounts which may be used for such purpose, approved by such respective Houses, to provide assistance for members of its professional staff in obtaining specialized training, whenever that committee determines that such training will aid the committee in the discharge of its responsibilities. Any joint committee of the Congress whose expenses are paid out of funds disbursed by the Secretary of the Senate or by the Clerk of the House, the Committee on Appropriations of the Senate, and the Majority Policy Committee and Minority Policy Committee of the Senate are each authorized to expend, for the purpose of providing assistance in accordance with paragraphs (2), (3), and (4) of this subsection for members of its staff in obtaining such training, any part of amounts appropriated to that committee.

(2) Such assistance may be in the form of continuance of pay during periods of training or grants of funds to pay tuition, fees, or such other expenses of training, or both, as may be approved by the Committee on Rules and Administration or the Committee on House Administration, as the case may be.

(3) A committee providing assistance under this subsection shall obtain from any employee receiving such assistance such agreement with respect to continued employment with the committee as the committee may deem necessary to assure that it will receive the benefits of such employee's services upon completion of his training.

(4) During any period for which an employee is separated from employment with a committee for the purpose of undergoing training under this subsection, such employee shall be considered to have performed service (in nonpay status) as an employee of the committee at the rate of compensation received immediately prior to commencing such training (including any increases in compensation provided by law during the period of training) for the purposes of—

(A) subchapter III (relating to civil service retirement) of chapter 83 of title 5,

(B) chapter 87 (relating to Federal employees group life insurance) of title 5, and

(C) chapter 89 (relating to Federal employees group health insurance) of title 5.

(k) Additional professional members and clerical employees

Until otherwise provided by law—

(1) The Committee on Judiciary may employ three additional clerical employees;

(2) The Committee on Armed Services may employ six additional professional staff members and eight additional clerical employees;

(3) The Committee on Ways and Means may employ two additional professional staff members and fourteen additional clerical employees;

(4) The Committee on International Relations may employ three additional clerical employees; and

(5) The Committee on Interstate and Foreign Commerce may employ four additional clerical employees,

to be paid from the contingent fund of the House at rates of compensation to be fixed by the chairman in accordance with this section.

(Aug. 2, 1946, ch. 753, title II, § 202, 60 Stat. 834; July 30, 1947, ch. 361, title I, § 101, 61 Stat. 611; Feb. 24, 1949, ch. 8, 63 Stat. 6; June 22, 1949, ch. 235, § 105, 63 Stat. 230; Oct. 11, 1951, ch. 485, § 105, 65 Stat. 403; July 2, 1954, ch. 455, § 103, 68 Stat. 409; Aug. 5, 1955, ch. 568, § 12, 69 Stat. 509; June 27, 1956, ch. 453, § 103, 70 Stat. 370; July 1, 1957, Pub. L. 85-75, § 103. 71 Stat. 256; June 20, 1958, Pub. L. 85-462, § 4(o), 72 Stat. 209; July 31, 1958, Pub. L. 85-571, § 103, 72 Stat. 453; Oct. 2, 1962, Pub. L. 87-730, § 103, 76 Stat. 693; Dec. 30, 1963, Pub. L. 88-248, § 103, 77 Stat. 817; Aug. 14, 1964, Pub. L. 88-426, title II, § 202(j), 78 Stat. 414; Aug. 20, 1964, Pub. L. 88-454, § 103, 78 Stat. 550; July 27, 1965, Pub. L. 89-90, § 103, 79 Stat. 281; Aug. 27, 1966, Pub. L. 89-545, § 103, 80 Stat. 369; Oct. 26, 1970, Pub. L. 91-510, title III, §§ 301(a)-(c), 303, 304, title IV, § 477(a)(3), 84 Stat. 1175, 1176, 1179, 1180, 1195; Oct. 11, 1971, Pub. L. 92-136, § 5, 85 Stat. 378; H. Res. 163, Mar. 19, 1975.)

CODIFICATION

Subsec. (k) is based on House resolutions which were enacted into permanent law.

Subsec. (k)(1) is based on House Resolution No. 172 of the Eighty-first Congress, which was enacted into permanent law by act June 22, 1949, ch. 235, § 105, 63 Stat. 230, and House Resolution No. 464 of the Eighty-first Congress, which was enacted into permanent law by act Oct. 11, 1951, ch. 485, § 105, 65 Stat. 403.

Subsec. (k)(2) is based on House Resolution No. 37 of the Eighty-second Congress, which was enacted into permanent law by act Oct. 11, 1951, ch. 485, § 105, 65 Stat. 403, and House Resolution No. 393 of the Eighty-eighth Congress, which was enacted into permanent law by Pub. L. 88-454, § 103, Aug. 20, 1964, 78 Stat. 550.

Subsec. (k)(3) is based on House Resolution No. 554 of the Eighty-third Congress, which was enacted into permanent law by act July 2, 1954, ch. 455, § 103, 68 Stat. 409, House Resolution No. 468 of the Eighty-fourth Congress, which was enacted into permanent law by act June 27, 1956, ch. 453, § 103, 70 Stat. 370, House Resolution No. 126 of the Eighty-fifth Congress, which was enacted into permanet law by Pub. L. 85-75, § 103, July 1, 1957, 71 Stat. 256, House Resolution No. 525 of the Eighty-fifth Congress, which was enacted into permanent law by Pub. L. 85-571, § 103, July 31, 1958, 72 Stat. 453, and House Resolution No. 509 of the Eighty-seventh Congress, which was enacted into permanent law by Pub. L. 87-730, § 103, Oct. 2, 1962, 76 Stat. 693.

Subsec. (k)(4) is based on House Resolution No. 28 of the Eighty-fifth Congress, which was enacted into permanent law by Pub. L. 85-75, § 103, July 1, 1957, 71 Stat. 256, and section 2 of House Resolution No. 348 of the Eighty-seventh Congress, which was enacted into permanent law by Pub. L. 87-730, § 103, Oct. 2, 1962, 76 Stat. 693.

Subsec. (k)(5) is based on House Resolution No. 239 of the Eighty-fifth Congress, which was enacted into permanent law by Pub. L. 85-571, § 103, July 31, 1958, 72 Stat. 453, and House Resolution No. 225 of the Eighty-eighth Congress, which was enacted into permanent law by Pub. L. 88-248, § 103, Dec. 30, 1963, 77 Stat. 817.

AMENDMENTS

1971—Subsec. (g). Pub. L. 92-136, § 5(a), permitted a clerical staff member, appointed at the request of the minority when no vacancy exists on the permanent staff, to continue to serve, in addition to any other clerical staff members authorized, and until otherwise provided, to continue to be paid from the contingent fund of the Senate, thereby eliminating the requirement, in the case of a clerical staff member, that this status continue until such time as a vacancy occurs, at which time such person is considered to be appointed to such vacancy.

Subsec. (j)(1). Pub. L. 92-136, § 5(b), authorized the same training opportunities for professional staff members of the Senate Appropriations Committee, the Senate Majority and Minority Policy Committees and joint committees whose expenses are paid out of funds disbursed by the Secretary of the Senate or the Clerk of the House, as are afforded to professional staff members of standing committees.

1970—Subsec. (a). Pub. L. 91-510, § 301(a), restricted the provisions to standing committees of the Senate, deleting "and the House of Representatives" following "Senate", increased numerical limitation of professional staff members from four to six, provided for appointment of two staff members by majority vote of minority members of a committee whenever majority of minority members so request and assignment of such appointees to such committee business as the minority members deem advisable, and substituted provision for termination of services of staff members appointed by majority vote of the committee by majority vote of the committee and services of members appointed pursuant to request of minority members of the committee by the committee when majority of such minority members so request for prior termination provision by majority vote of the committee.

Subsec. (c). Pub. L. 91-510, § 301(b), inserted phrase "of the Senate (other than the Committee on Appropriations)" following "each standing committee", provided for appointment of one clerical staff member by majority vote of minority members of a committee whenever majority of minority members so request and handling by such appointee of committee correspondence and stenographic work for minority members of the committee and for any members of the committee staff appointed under subsec. (a) of this section pursuant to request by the minority members, on matters related to committee work, and for termination of services of clerical staff members appointed by majority vote of the committee by majority vote of the committee and services of members appointed pursuant to request of minority members of the committee by the committee when majority of such minority members so request.

Subsec. (e). Pub. L. 91-510, § 477(a)(3), repealed provisions prescribing basic annual compensation of professional staff members and clerical staff members of standing committees and limiting such compensation, together with additional compensation authorized by law, to maximum amount authorized by Classification Act of 1949.

Subsec. (g). Pub. L. 91-510, § 301(c), added subsec. (g). Former provisions, declaring any individual employed as a professional staff member of any committee as provided in this section ineligible for appointment to any office or position in executive branch of the Government for period of one year after he shall have ceased to be such a member, were repealed by act Feb. 24, 1949, ch. 8, 63 Stat. 6.

Subsec. (h). Pub. L. 91-510, § 301(c), added subsec. (h) and struck out former provisions which related to employees of House and Senate Appropriation Committees through fiscal year 1947, all other committee employees through Jan. 31, 1947, and appropriations for compensation of committee employees as contained in the Legislative Branch Appropriation Act, 1947, act July 1, 1946, ch. 530, 60 Stat. 386.

Subsec. (i). Pub. L. 91-510, § 303, added subsec. (i).

Subsec. (j). Pub. L. 91-510, § 304, added subsec. (j).

1966—Subsec. (k)(2). Five additional professional staff members and three additional clerical employees were authorized by House Resolution No. 640, Feb. 9, 1966, which was enacted into permanent law by Pub. L. 89-545.

1965—Subsec. (k)(2). One additional professional staff member and two additional clerical employees were authorized by House Resolution No. 248, Mar. 11,

1965, which was enacted into permanent law by Pub. L. 89-90.

1964—Subsec. (e). Pub. L. 88-426 increased the maximum basic annual compensation to professional staff members and the clerical staff from $8,880 to the highest amount which, together with additional compensation authorized by law, will not exceed the maximum rate authorized by the Classification Act of 1949, as amended.

1958—Subsec. (e). Pub. L. 85-462 substituted "$8,880" for "$8,820" in two instances.

1955—Subsec. (e). Act Aug. 5, 1955, increased the maximum basic annual compensation of the professional staff and the clerical staff from $8,000 to $8,820.

1949—Subsec. (g). Act Feb. 24, 1949, repealed subsec. (g).

1947—Subsec. (e). Act July 30, 1947, omitted the figure $2,000 as lowest salary to be paid clerks.

CHANGE OF NAME

The name of the Committee on Foreign Affairs of the House of Representatives was changed to Committee on International Relations on Mar. 19, 1975, by House Resolution 163, 94th Congress.

EFFECTIVE DATE OF 1971 AMENDMENT

Amendment by Pub. L. 92-136 effective as of noon on Jan. 3, 1971, see section 9(a) of Pub. L. 92-136, set out as a note under section 190d of this title.

EFFECTIVE DATE OF 1970 AMENDMENT

Section 601 of Pub. L. 91-510 provided that:

"The foregoing provisions of this Act [see Short Title note hereunder] shall take effect as follows:

"(1) Title I [enacting sections 190a-1 and 190a-2 and amending sections 190a, 190a-1, 190b to 190d, and 190f of this title], title II (except part 2 thereof) [enacting sections 190h to 190k of this title and chapter 22 of Title 31 and repealing section 190e of this title], title III (except section 203 (d)(2), (d)(3), and (i) of the Legislative Reorganization Act of 1946, as amended by section 321 of this Act, and section 105(e) and (f) of the Legislative Branch Appropriation Act, 1968, as amended by section 305 of this Act) [enacting sections 28 and 29, amending sections 72a(a), (c), (g) to (j), and 166, enacting provisions set out as notes under this section and repealing provisions set out as a note under section 60a of this title], and title IV, of this Act [enacting chapters 10A and 13 and sections 60-1 and 88b-1 of this title and sections 166b-1a to 166b-1f, 184a, 193m-1, and 851 of Title 40, amending section 198 of this title and sections 2107, 5533, and 8332 of Title 5, repealing sections 60g, 60g-1, 72a(e), and 88c of this title and section 1106 of Title 8, and enacting provisions set out as notes under sections 88b-1 and 331 of this title, section 1106 of Title 8, and 166 and 851 of Title 40] shall become effective immediately prior to noon on January 3, 1971.

"(2) Part 2 of title II [amending section 11 of Title 31] shall be effective with respect to fiscal years beginning on or after July 1, 1972.

"(3) Section 203(d)(2) and (3) of the Legislative Reorganization Act of 1946, as amended by section 321 of this Act [section 166(d)(2) and (3) of this title], shall become effective at the close of the first session of the Ninety-second Congress.

"(4) Section 203(i) of the Legislative Reorganization Act of 1946, as amended by section 321 of this Act [section 166(i) of this title], shall be effective with respect to fiscal years beginning on or after July 1, 1970.

"(5) Title V of this Act [sections 281 to 281b and 282 to 282e of this title] shall become effective on the date of enactment of this Act [Oct. 26, 1970].

"(6) Section 105(e) and (f) of the Legislative Branch Appropriation Act, 1968, as amended by section 305 of this Act [section 61-1(e) and (f) of this title] shall become effective on January 1, 1971."

EFFECTIVE DATE OF 1964 AMENDMENT

Amendment by Pub. L. 88-426 effective on the first day of the first pay period which begins on or after July 1, 1964, except to the extent provided in section 501(c) of Pub. L. 88-426, see section 501 of Pub. L. 88-426.

EFFECTIVE DATE OF 1958 AMENDMENT

Amendment by Pub. L. 85-462 was effective the first day of the first pay period which began on or after January 1, 1958.

EFFECTIVE DATE OF 1955 AMENDMENT

Amendment by act Aug. 5, 1955, effective Aug. 1, 1955.

EFFECTIVE DATE

Section 245 of act Aug. 2, 1946, provided that subsecs. (d) and (g) of this section should become effective as of Aug. 2, 1946, and that subsections (a) to (c), (e), and (f) of this section should become effective on Jan. 3, 1947.

SHORT TITLE

Section 1 of Pub. L. 91-510 provided that Pub. L. 91-510, which enacted sections 28, 29, 60-1, 88b-1, 190a-1, 190a-2, 190h to 190k, 281 to 281b, 282 to 282e, 331 to 336, and 411 to 417 of this title, sections 1151 to 1157 and 1171 to 1176 of Title 31, and sections 166b-1a to 166b-1f, 184a, 193m-1, and 851 of Title 40, amended sections 61-1, 72a, 166, 190a, 190a-1, 190b to 190d, 190f, and 198 of this title, sections 2107, 5533, and 8332 of Title 5, and section 11 of Title 31, repealed sections 60g, 60g-1, 88c, and 190e of this title and section 1106 of Title 8, enacted provisions set out as notes under this section and sections 88b-1, 281, and 331 of this title and section 166 of Title 40, repealed provisions set out as a note under section 60a of this title, and abolished Joint Committee on Immigration and Nationality established by former section 1106(a) of Title 8, and enacted other provisions not classified to the Code, may be cited as the "Legislative Reorganization Act of 1970."

Section 1(a) of act Aug. 2, 1946, which enacted sections 72a, 74b, 75a-1, 88a, 132a, 132b, 145a, 166, 190 to 190a-2, 190b to 190d, 190f, 190g, 198, and 261 to 270 of this title, former sections 72b-1 and 190e of this title, and former sections 191a and 275 of Title 5, now covered by section 1552 of Title 10, sections 1022(a) and 1024(b)(3) of Title 15, sections 59 and 60 of Title 31, sections 525, 526, 527 to 533 of Title 33, section 174d-1 of Title 40, and former sections 1, 182c, and 402, now covered by sections 101, 905, and 2114, of Title 44, should be popularly known as the Legislative Reorganization Act of 1946.

STAFF MEMBERS; REDUCTION IN NUMBER; SELECTION FOR MINORITY MEMBERS

Section 301(d) of Pub. L. 91-510 provided that:

"Nothing in the amendments made by subsections (a) and (b) of this section [to subsecs. (a) and (c) of this section] shall be construed—

"(1) to require a reduction in—

"(A) the number of staff members authorized, prior to January 1, 1971, to be employed by any committee of the Senate, by statute or by annual or permanent resolution, or

"(B) the number of such staff members on such date assigned to, or authorized to be selected for appointment by or with the approval of, the minority members of any such committee; or

"(2) to authorize the selection for appointment of staff members by the minority members of a committee in any case in which two or more professional staff members or one or more clerical staff members, as the case may be, who are satisfactory to a majority of such minority members, are otherwise assigned to assist such minority members."

PROFESSIONAL STAFFS; INCREASE IN NUMBER

Section 301(e) of Pub. L. 91-510 provided that: "The additional professional staff members authorized to be employed by a committee by the amendment made by

subsection (a) of this section [to subsec. (a) of this section] shall be in addition to any other additional staff members authorized, prior to January 1, 1971, to be employed by any such committee."

INCREASES IN COMPENSATION

Increases in compensation for officers and employees of the Senate and House of Representatives under authority of the Federal Salary Act of 1967 (Pub. L. 90-206) and the Federal Pay Comparability Act of 1970 (Pub. L. 91-656), see sections 60a-1 and 60a-2 of this title, and Salary Directives of the President pro tempore of the Senate, set out as notes under section 60a-1 of this title.

INCREASE IN COMPENSATION OF SENATE COMMITTEE EMPLOYEES

Pub. L. 85-462, § 4(h), June 20, 1958, 72 Stat. 208, provided that: "The paragraph relating to rates of compensation of employees of committees of the Senate, contained in the Legislative Appropriation Act, 1956 (69 Stat. 505; Public Law 242, Eighty-fourth Congress), is amended by striking out so much of the second sentence thereof as follows the words 'First Supplemental Appropriation Act, 1947,' and inserting in lieu thereof the following: 'the basic compensation of any employee of a standing or select committee of the Senate (including the majority and minority policy committees and the majority conference of the Senate and minority conference of the Senate), or a joint committee of the two Houses the expenses of which are paid from the contingent fund of the Senate, whose basic compensation may be fixed under such provisions at a rate of $8,000 per annum, may be fixed at a rate not in excess of $8,040 per annum, except that the basic compensation of one such employee may be fixed at a rate not in excess of $8,880 per annum and the basic compensation of two such employees may be fixed at a rate not in excess of $8,460 per annum.'"

The paragraph in the Legislative Appropriation Act, 1956, referred to above, authorized the basic compensation of one employee of each standing or select committee of the Senate (including the majority and minority policy committees and the majority conference of the Senate and the minority conference of the Senate), and each joint committee, the expenses of which are paid from the contingent fund of the Senate, to be fixed at a rate not in excess of $8,820 per annum, and the basic compensation of one employee of each such committee was authorized to be fixed at any rate not in excess of $8,460 per annum.

REORGANIZATION OF COMMITTEES AND PERSONNEL

Sections 102 and 121 of act Aug. 2, 1946, in amending Rule XXV of the Standing Rules of the Senate, and Rules X and XI of the Rules of the House of Representatives, reorganized the standing committees in the two Houses, and re-defined the jurisdiction of each such committee. The number of standing committees of the Senate was reduced from 33 to 15, and the number of such committees in the House of Representatives was reduced from 48 to 19. Section 142 of act Aug. 2, 1946, provided that sections 102 and 121 thereof should take effect on Jan. 2, 1947. For provisions of act Aug. 2, 1946 relating to appointment and compensation of clerical staffs of the revised committees and other personnel thereof, and retention of employees of existing committees, see this section and section 74a of this title.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 442 of this title.

§§ 72a-1, 72a-1a. Repealed. Pub. L. 90-57, § 105(i)(4), (5), July 28, 1967, 81 Stat. 144

Section 72a-1, acts Feb. 19, 1947, ch. 4, 61 Stat. 5; June 14, 1948, ch. 467, 62 Stat. 423, provided for compensation of clerical employees of Senate standing committees, and is now covered by section 61-1(e) of this title.

Section 72a-1a, acts Aug. 5, 1955, ch. 568, § 1, 69 Stat. 505; Aug. 27, 1966, Pub. L. 89-545, § 101, 80 Stat. 357, limited compensation of committee staff employees, and is now covered by section 61-1(e) of this title.

EFFECTIVE DATE OF REPEAL

Repeal of sections by Pub. L. 90-57 effective Aug. 1, 1967, see section 105(k) of Pub. L. 90-57, set out as a note under section 61-1 of this title.

§ 72a-1b. Approval of employment and compensation of committee employees by standing committees of the House

Standing committees of the House shall have authority to approve the employment and compensation of committee employees (other than special and select committee employees) from the effective date of the beginning of each Congress, or such subsequent date as their service commenced.

(Pub. L. 87-130, § 103, Aug. 10, 1961, 75 Stat. 334.)

CODIFICATION

Section is based on House Resolution No. 16, Jan. 3, 1961, which was enacted into permanent law by Pub. L. 87-130.

INCREASES IN COMPENSATION

Increases in compensation for officers and employees of the House of Representatives under authority of the Federal Salary Act of 1967 (Pub. L. 90-206) and the Federal Pay Comparability Act of 1970 (Pub. L. 91-656), see section 60a-2 of this title.

§ 72a-1c. Authority of Senator to hire staff assistance in connection with his committee membership

(a) Grant of authority

Pursuant to section 2 of Senate Resolution 60, 94th Congress, agreed to June 12, 1975, and subject to the requirements of this section, each Senator serving on a committee is authorized to hire staff for the purpose of assisting him in connection with his membership on one or more committees on which he serves as follows:

(1) A Senator serving on one or more standing committees named in paragraph 2 of Rule XXV of the Standing Rules of the Senate shall receive, for each such committee as he designates, up to a maximum of two such committees, an amount equal to the amount referred to in section 61-1(e)(1) of this title, as amended and modified.

(2) A Senator serving on one or more standing committees named in paragraph 3 of Rule XXV of the Standing Rules of the Senate or, in the case of a Senator serving on more than two committees named in paragraph 2 of that Rule but on none of the committees named in paragraph 3 of that Rule; select and special committees of the Senate; and joint committees of the Congress shall receive for one of such committees which he designates, an amount equal to the amount referred to in section 61-1(e)(1) of this title, as amended and modified.

(b) Reduction of amounts

(1) Each of the amounts referred to in subsection (a)(1) of this section shall be reduced, in the case of a Senator who is—

(A) the chairman or ranking minority member of any of the two committees designated by the Senator under subsection (a)(1) of this section;

(B) the chairman or ranking minority member of any subcommittee of either of such committees that receives funding to employ staff assistance separately from the funding authority for staff of the committee; or

(C) authorized by the committee, a subcommittee thereof, or the chairman of the committee or subcommittee, as appropriate, to recommend or approve the appointment to the staff of such committee or subcommittee of one or more individuals for the purpose of assisting such Senator in his duties as a member of such committee or subcommittee,

by an amount equal to the aggregate annual gross rates of compensation of all staff employees of that committee or subcommittee (i) whose appointment is made, approved, or recommended and (ii) whose continued employment is not disapproved by such Senator if such employees are employed for the purpose of assisting such Senator in his duties as chairman, ranking minority member, or member of such committee or subcommittee thereof as the case may be, or to the amount referred to in section 61-1(e)(1) of this title, whichever is less.

(2) The amount referred to in subsection (a)(2) of this section shall be reduced in the case of any Senator by an amount equal to the aggregate annual gross rates of compensation of all staff employees (i) whose appointment to the staff of any committee referred to in subsection (a)(2) of this section, or subcommittee thereof, is made, approved, or recommended and (ii) whose continued employment is not disapproved by such Senator if such employees are employed for the purpose of assisting such Senator in his duties as chairman, ranking minority member, or member of such committee or subcommittee thereof as the case may be, or an amount equal to the amount referred to in section 61-1(e)(1) of this title, whichever is less.

(c) Designation, certification, and termination of appointed employees; professional staff privileges

(1) An employee appointed under this section shall be designated as such and certified by the Senator who appoints him to the chairmen and ranking minority members of the appropriate committee or committees as designated by such Senator and shall be accorded all privileges of a professional staff member (whether permanent or investigatory) of such committee or committees including access to all committee sessions and files, except that any such committee may restrict access to its sessions to one staff member per Senator at a time and require, if classified material is being handled or discussed, that any staff member possess the appropriate security clearance before being allowed access to such material or to discussion of it.

(2) If (A) a Senator's service on a committee terminates (other than by reason of his ceasing to be a Member of the Senate) or a Senator's status on a committee as the chairman or ranking minority member of such committee or a subcommittee thereof changes, and (B) the appointment of an employee appointed under this section and designated to such committee by such Senator would (but for this paragraph) thereby terminate, such employee shall, subject to the provisions of subsection (e) of this section, be continued as an employee appointed by such Senator under this section until whichever of the following first occurs: (1) the close of the tenth day following the day on which such Senator's service on such committee terminates or his status on such committee changes or (2) the effective date on which such Senator notifies the Secretary of the Senate, in writing, that such employee is no longer to be continued as an employee appointed under this section. An employee whose appointment is continued under this paragraph shall perform such duties as the Senator who appointed him may assign.

(d) Compensation

An employee appointed under this section shall not receive compensation in excess of that provided for an employee under section 61-1(e)(1) of this title, as amended and modified.

(e) Maximum aggregate payments of gross compensation

The aggregate of payments of gross compensation made to employees under this section during each fiscal year shall not exceed at any time during such fiscal year one-twelfth of the total amount to which the Senator is entitled under this section (after application of the reductions required under subsection (b) of this section) multiplied by the number of months (counting a fraction of a month as a month) elapsing from the first month in that fiscal year in which the Senator holds the office of Senator through the end of the current month for which the payment of gross compensation is to be made. In any fiscal year in which a Senator does not hold the office of Senator at least part of each month of that year, the aggregate amount available for gross compensation of employees under this section shall be the total amount to which the Senator is entitled under this section (after application of the reductions required under subsection (b) of this section) divided by 12, and multiplied by the number of months the Senator holds such office during that fiscal year, counting any fraction of a month as a full month.

(f) Effective date

This section is effective on and after July 1, 1975.

(Pub. L. 94-59, title I, § 108, July 25, 1975, 89 Stat. 276; Pub. L. 94-440, title I, § 102, Oct. 1, 1976, 90 Stat. 1443.)

AMENDMENTS

1976—Subsec. (c). Pub. L. 94-440 designated existing provisions as par. (1) and added par. (2).

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 58 of this title.

§ 72a-2. Omitted

Section, acts July 20, 1951, ch. 237, §§ 1-3, 65 Stat. 123; Aug. 5, 1955, ch. 568, §§ 1, 8, 69 Stat. 501, 509; Feb. 14, 1956, ch. 34, ch. IV, § 401, 70 Stat. 13; June 27, 1956, ch. 453, § 101, 70 Stat. 357; July 28, 1967, Pub. L. 90-57, § 103, 81 Stat. 141; Aug. 18, 1970, Pub. L. 91-382, § 103, 84 Stat. 825, prescribed the basic compensation of em-

ployees of the House and Senate press, periodical, and radio galleries, and is omitted for lack of general applicability.

§ 72a-3. Computation of salaries and wages paid out of House appropriation items

Except as provided by the House Employees Position Classification Act [2 U.S.C. 291 et seq.] or by any other provision of law to the contrary, salaries or wages paid out of the items herein for the House of Representatives shall be computed at basic rates, plus increased and additional compensation, as authorized and provided by law.

(Pub. L. 91-382, § 101, Aug. 18, 1970, 84 Stat. 814.)

References in Text

The House Employees Position Classification Act, referred to in text, is classified generally to chapter 10 (§ 291 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 291 of this title and Tables volume.

Words "items herein for the House of Representatives", referred to in text, probably means the items under the heading "House of Representatives" in the Legislative Branch Appropriations Act from which this section is derived.

Similar Provisions

Section is from the Legislative Branch Appropriation Act, 1971, Pub. L. 91-382. Similar provisions were contained in the following prior appropriation acts:
Pub. L. 91-145, § 101, Dec. 12, 1969, 83 Stat. 347.
Pub. L. 90-417, § 101, July 23, 1968, 82 Stat. 404.
Pub. L. 90-57, § 101, July 28, 1967, 81 Stat. 133.
Pub. L. 89-545, § 101, Aug. 27, 1966, 80 Stat. 361.
Pub. L. 89-90, § 101, July 27, 1965, 79 Stat. 273.
Pub. L. 88-454, § 101, Aug. 20, 1964, 78 Stat. 542.
Pub. L. 88-248, § 101, Dec. 30, 1963, 77 Stat. 809.
Pub. L. 87-730, § 101, Oct. 2, 1962, 76 Stat. 686.
Pub. L. 87-130, § 101, Aug. 10, 1961, 75 Stat. 327.
Pub. L. 86-628, § 101, July 12, 1960, 74 Stat. 453.
Pub. L. 86-176, § 101, Aug. 21, 1959, 73 Stat. 405.
Pub. L. 85-570, § 101, July 31, 1958, 72 Stat. 446.
Pub. L. 85-75, § 101, July 1, 1957, 71 Stat. 249.
June 27, 1956, ch. 453, § 101, 70 Stat. 363.
Aug. 5, 1955, ch. 568, § 101, 69 Stat. 513.
July 2, 1954, ch. 455, title I, § 101, 68 Stat. 403.

§ 72a-4. Repealed. Pub. L. 90-57, § 105(i)(1), July 28, 1967, 81 Stat. 144

Section, Pub. L. 85-75, § 101, July 1, 1957, 71 Stat. 246, provided for computation of salaries and wages paid out of Senate contingent-expense items, and is now covered by section 61-1(b), (c) of this title.

Effective Date of Repeal

Repeal of section by Pub. L. 90-57 effective Aug. 1, 1967, see section 105(k) of Pub. L. 90-57, set out as a note under section 61-1 of this title.

§ 72b. Regulations governing availability of appropriations for House committee employees

Appropriations for committee employees shall be available in such amounts and under such regulations as may be approved by the Committee on House Administration for compensation of employees of the standing committees of the House of Representatives, except the Committee on Appropriations.

(July 17, 1947, ch. 262, § 101, 61 Stat. 367.)

§ 72b-1. Omitted

Codification

Section, act Aug. 2, 1946, ch. 753, title I, § 134(b), 60 Stat. 832, which related to reports of committees and subcommittees of the Senate and House of Representatives on employed personnel was omitted. See section 72c of this title and the Standing Rules of the Senate.

§ 72c. House committee reports on employed personnel; period covered; publication

Every committee serving the House of Representatives shall report to the Clerk of the House within fifteen days after December 31 and June 30 of each year the name, profession, and total salary of each person employed by such committee or any subcommittee thereof during the period covered by such report, and shall make an accounting of funds made available to and expended by such committee or subcommittee during such period, and such information when reported shall be published in the Congressional Record. The first such report shall cover the period beginning on January 3, 1947, and ending on June 30, 1947, and succeeding reports shall cover the six months' period ending on the preceding December 31 or June 30, as the case may be. The information required to be reported and published shall be in lieu of the information required to be reported and published under section 72b-1 of this title, in the case of committees of the House and their subcommittees.

(July 17, 1947, ch. 262, § 101, 61 Stat. 367.)

References in Text

Section 72b-1, referred to in text, was omitted from the Code.

§§ 73, 74. Omitted

Codification

Section 73, act Mar. 4, 1925, ch. 549, § 1, 43 Stat. 1292, related to clerk hire for Ways and Means Committee, and is omitted as superseded by section 72a(c) of this title.

Section 74, acts Mar. 3, 1893, No. 21, 27 Stat. 757; July 16, 1914, ch. 141, §§ 1, 6, 38 Stat. 454, 509; Mar. 4, 1915, ch. 141, §§ 1, 6, 38 Stat. 997, 1049; June 7, 1924, ch. 303, § 1, 43 Stat. 581, and Mar. 4, 1925, ch. 549, § 1, 43 Stat. 1286, related to clerk hire, and is now covered by sections 72a and 332 of this title.

Repeals

R.S. § 53 and act May 24, 1924, ch. 183, § 1, 43 Stat. 149, originally part of this section, were repealed by act Mar. 3, 1933, ch. 202, § 1, 47 Stat. 1428, and act June 20. 1929, ch. 33, § 6, 46 Stat. 39, respectively.

§ 74-1. Personal services in office of the Speaker; payments from contingent fund

There shall be paid from the contingent fund of the House until otherwise provided by law, for personal services in the office of the Speaker of the House, an additional basic sum of $10,000 per annum.

(Pub. L. 87-730, § 103, Oct. 2, 1962, 76 Stat. 693.)

Codification

Section is based on House Resolution No. 487, Jan. 10, 1962, which was enacted into permanent law by Pub. L. 87-730.

§ 74-2. Omitted

Section, Pub. L. 88-248, § 103, Dec. 30, 1963, 77 Stat. 817; Pub. L. 89-90, § 103, July 27, 1965, 79 Stat. 81; Pub. L. 90-417, § 103, July 23, 1968, 82 Stat. 413, was based on House Resolutions No. 603, Apr. 16, 1962, and No. 685, Apr. 14, 1964, related to messengers in the Office of the Speaker, and is omitted for lack of general applicability.

§ 74a. Employment of administrative assistants for Speaker and majority and minority leaders of House of Representatives; compensation; appropriations

The Speaker, the majority leader, and the minority leader of the House of Representatives are each authorized to employ an administrative assistant, who shall receive basic compensation at a rate not to exceed $8,000 a year. There is authorized to be appropriated such sums as may be necessary for the payment of such compensation.

(Aug. 2, 1946, ch. 753, title II, § 201(c), 60 Stat. 834.)

EFFECTIVE DATE

Section effective Aug. 2, 1946, see section 245 of act Aug. 2, 1946, set out as a note under section 72a of this title.

BASIC COMPENSATION OF ADMINISTRATIVE ASSISTANTS

Pub. L. 85-462, § 4(n), June 20, 1958, 72 Stat. 209, provided that: "The basic compensation of the Administrative Assistants to the Speaker, Majority Leader, Minority Leader, Majority Whip, and Minority Whip, shall be at the rate of $8,880 per annum."

Section 6(c) of House Resolution 988, Oct. 8, 1974, provided for the compensation of the administrative assistants referred to in House Resolution 1015, Jan. 15, 1968, at a rate not in excess of the minimum rate of pay in effect for one pay level above that of employees (referred to in clause 6(a)(1) of Rule XI) to whom clause 6(c) of Rule XI of the Rules of the House of Representatives applies.

INCREASES IN COMPENSATION

Increase in compensation under the salary comparability policy for 1968 and 1969 as set out in the Federal Salary Act of 1967 for employees having a fixed rate of basic compensation disbursed by the Clerk of the House of Representatives, see 1968 and 1969 Directives of the Speaker of the House of Representatives, set out under section 60a-2 of this title, and the President's salary recommendations for 1969 increases, set out under section 358 of this title.

§ 74a-1. Omitted

CODIFICATION

Section, Pub. L. 87-367, title III, § 302(c), Oct. 4, 1961, 75 Stat. 793, which provided that the rate of gross annual compensation of the Chief of Staff of the Joint Committee on Internal Revenue Taxation was to be an amount equal to $17,500 as increased in the manner provided by sections 60e-8(d) and 60e-9(d) of this title, was omitted as superseded by section 74a-2 of this title.

§ 74a-2. Per annum rate of compensation of Chief of Staff of Joint Committee on Taxation

The per annum rate of compensation of the Chief of Staff of the Joint Committee on Taxation shall be the same as the per annum rate of compensation of the Legislative Counsel of the House of Representatives.

(Pub. L. 90-206, title II, § 214(e), Dec. 16, 1967, 81 Stat. 636; Pub. L. 94-455, title XIX, § 1907(a)(5), Oct. 4, 1976, 90 Stat. 1836.)

EFFECTIVE DATE

Section effective as of the beginning of the first pay period which begins on or after Oct. 1, 1967, see section 220(a)(2) of Pub. L. 90-206, set out as a note under section 5332 of Title 5, Government Organization and Employees.

CHANGE OF NAME

Joint Committee on Internal Revenue Taxation redesignated as the Joint Committee on Taxation by Pub. L. 94-455.

1970 INCREASE IN PAY RATES OF CERTAIN EMPLOYEES OF THE LEGISLATIVE BRANCH

Adjustment by the President pro tempore of the Senate with respect to the United States Senate, by the Finance Clerk of the House of Representatives with respect to the United States House of Representatives, and by the Architect of the Capitol with respect to the Office of the Architect of the Capitol, effective on the first day of the first pay period which begins on or after Dec. 27, 1969, of the rates of pay of employees of the legislative branch subject to section 214 of Pub. L. 90-206, with certain exceptions, by the amounts of the adjustment for corresponding rates for employees subject to the General Schedule, set out in section 5332 of Title 5, which had been made by section 2 of Pub. L. 91-231 raising such rates by 6 percent, see Pub. L. 91-231, set out as a note under section 5332 of Title 5, Government Organization and Employees.

CROSS REFERENCES

Compensation of Legislative Counsel of House of Representatives, see section 282b of this title.

§ 74b. Employment of additional administrative assistants

The Secretary of the Senate and the Clerk of the House are authorized to employ such administrative assistants as may be necessary in order to carry out the provisions of this Act under their respective jurisdictions.

(Aug. 2, 1946, ch. 753, title II, § 244, 60 Stat. 839.)

REFERENCES IN TEXT

This Act, referred to in text, means the Legislative Reorganization Act of 1946, act Aug. 2, 1946. For distribution of that act in this Code, see Short Title note under section 72a of this title.

EFFECTIVE DATE

Section effective Aug. 2, 1946, see section 245 of act Aug. 2, 1946, set out as a note under section 72a of this title.

§ 75. Repealed. Pub. L. 92-310, title II, § 220(b), (c), June 6, 1972, 86 Stat. 204

Section, R.S. §§ 58, 59; act Mar. 2, 1895, ch. 177, § 5, 28 Stat. 807, required the Clerk of the House of Representatives to give a bond in the sum of $20,000.

§ 75a. Death, resignation, etc., of Clerk of House; accounts and payments; liability of Clerk for acts and defaults of disbursing clerk

On and after June 8, 1942, in case of the death, resignation, separation from office, or disability of the Clerk of the House of Representatives, the accounts of such Clerk may be continued and payments made in his name by the disbursing clerk of the House of Represen-

tatives for a period extending not beyond the quarterly period during which a new Clerk of the House of Representatives shall have been elected and qualified. Such accounts and payments shall be allowed, audited, and settled in the General Accounting Office, and the checks signed in the name of the former Clerk of the House of Representatives shall be honored by the Treasurer of the United States, in the same manner as if such former Clerk had continued in office. The former Clerk or his estate shall not be subject to any legal liability or penalty for the official acts and defaults of such disbursing clerk acting in the name or in the place of such former Clerk under this section, but such disbursing clerk shall be responsible therefor.

(June 8, 1942, ch. 396, § 7, 56 Stat. 350; June 26, 1972, Pub. L. 92-310, title II, § 220(i), 86 Stat. 205.)

AMENDMENTS

1972—Pub. L. 92-310 eliminated provisions which related to the sureties on the bond of the former clerk, and which required the disbursing clerk to give a bond.

CROSS REFERENCES

Secretary of Senate, death, resignation, or disability, see section 64a of this title.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 75a-1 of this title.

§ 75a–1. Temporary appointments in case of vacancies or incapacity of House officers; compensation

(a) Temporary appointments in case of vacancy of incapacity in office of Clerk, Sergeant at Arms, Doorkeeper, Postmaster, or Chaplain of House

In case of a vacancy, from whatever cause, in the office of Clerk, Sergeant at Arms, Doorkeeper, Postmaster, or Chaplain, of the House of Representatives, or in case of the incapacity or inability of the incumbent of any such office to perform the duties thereof, the Speaker of the House of Representatives may appoint a person to act as, and to exercise temporarily the duties of, Clerk, Sergeant at Arms, Doorkeeper, Postmaster, or Chaplain, as the case may be, until a person is chosen by the House of Representatives and duly qualifies as Clerk, Sergeant at Arms, Doorkeeper, Postmaster, or Chaplain, as the case may be, or until the termination of the incapacity or inability of the incumbent.

(b) Duties of temporary appointees

Any person appointed pursuant to this section shall exercise all the duties, shall have all the powers, and shall be subject to all the requirements and limitations applicable with respect to one chosen by the House of Representatives to fill the office involved; but nothing in this section shall be held to amend, repeal, or otherwise affect section 75a of this title.

(c) Compensation of temporary appointee

Any person appointed pursuant to this section shall be paid the compensation which he would receive if he were chosen by the House of Representatives to fill the office involved, unless such person is concurrently serving in any office or position the compensation for which is paid from the funds of the United States, in which case he shall receive no compensation for services rendered pursuant to his appointment under this section, and his compensation for performing the duties of such office other than the one to which he is appointed pursuant to this section shall be in full discharge for all services he performs for the United States while serving in such dual capacity.

(Aug. 2, 1946, ch. 753, § 208, as added Aug. 5, 1953, ch. 330, 67 Stat. 387.)

§ 75b. Omitted

CODIFICATION

Section, act May 1, 1947, ch. 49, title I, § 101, 61 Stat. 58, omitted as obsolete because the Surplus Property Act of 1944, former sections 1611 to 1648 of Appendix to Title 50, War and National Defense, was repealed by act June 30, 1949, ch. 288, title V, § 503, 63 Stat. 399, and the priorities thereunder expired Dec. 31, 1949.

§§ 75c to 75e. Omitted

CODIFICATION

Section 75c, based on H. Res. No. 449, Sept. 21, 1961, enacted into permanent law by Pub. L. 87-730, § 103, Oct. 2, 1962, 76 Stat. 693, related to the basic compensation of the Assistant Tally Clerks in the Office of the Clerk of the House.

Section 75d, based on H. Res. No. 331, June 7, 1961, enacted into permanent law by Pub. L. 87-730, § 103, Oct. 2, 1962, 76 Stat. 693, related to the basic compensation of the stationery and assistant stationery clerks in the House.

Section 75e, based on H. Res. Nos. 225, 341, 402 and 773 of the 87th Congress, enacted into permanent law by Pub. L. 87-130, § 103, Aug. 10, 1961, 75 Stat. 334; Pub. L. 87-730, § 103, Oct. 2, 1962, 76 Stat. 693; Pub. L. 88-248, § 103, Dec. 30, 1963, 77 Stat. 817, related to the compensation of certain laborers and clerks in the offices of the Clerk, Doorkeeper and Postmaster of the House.

Sections 75c to 75e are omitted for lack of general applicability.

§ 76. Duties of Doorkeeper of House of Representatives

The Doorkeeper of the House of Representatives shall perform the usual services pertaining to his office during the session of Congress, and shall in the recess, under the direction of the Clerk of the House of Representatives, take care of the apartments occupied by the House of Representatives.

(R.S. § 73.)

PRIOR PROVISIONS

Act Apr. 12, 1792, ch. 20, 1 Stat. 252.

CROSS REFERENCES

Senate doorkeeper, see section 63 of this title.

§ 76–1. Compensation of Doorkeeper of House of Representatives

Until otherwise provided by law, the compensation of the Doorkeeper of the House of Representatives shall be at a gross per annum rate which is equal to the gross per annum rate of compensation of the Clerk, and of the Sergeant at Arms, of the House of Representatives.

(Pub. L. 89-697, ch. VI, § 601, Oct. 27, 1966, 80 Stat. 1064.)

CODIFICATION

Section is based on House Resolution No. 909, Sept. 8, 1966, which was enacted into permanent law by Pub. L. 89-697.

§§ 76a, 76b. Omitted

CODIFICATION

Section 76a, based on H. Res. No. 560, Mar. 27, 1962, enacted into permanent law by Pub. L. 87-730, § 103, Oct. 2, 1962, 76 Stat. 693, related to the position of a special assistant in the Office of the Doorkeeper.

Section 76b, based on H. Res. No. 603, §§ 1, 2, Apr. 16, 1962, enacted into permanent law by Pub. L. 88-248, § 103, Dec. 30, 1963, 77 Stat. 817, related to the compensation of telephone clerks in the Office of the Doorkeepers.

Sections are omitted for lack of general applicability.

§ 77. Sergeant at Arms of House of Representatives; additional compensation

The Sergeant at Arms of the House of Representatives shall receive, directly or indirectly, no fees or other compensation or emolument whatever for performing the duties of the office, or in connection therewith, otherwise than the salary prescribed by law.

(June 20, 1874, ch. 328, § 1, 18 Stat. 87; Mar. 3, 1875, ch. 129, § 1, 18 Stat. 346.)

§ 78. Duties of Sergeant at Arms

It shall be the duty of the Sergeant at Arms of the House of Representatives to attend the House during its sittings, to maintain order under the direction of the Speaker, and, pending the election of a Speaker or Speaker pro tempore, under the direction of the Clerk, execute the commands of the House and all processes issued by authority thereof, directed to him by the Speaker, keep the accounts for the pay and mileage of Members and Delegates, and pay them as provided by law.

(Oct. 1, 1890, ch. 1256, § 1, 26 Stat. 645.)

CROSS REFERENCES

Salary and traveling expenses of Resident Commissioner from Puerto Rico paid by Sergeant at Arms, see section 894 of Title 48, Territories and Insular Possessions.

Statement of disbursements, see section 84 of this title.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 84 of this title.

§ 79. Symbol of office of Sergeant at Arms

The symbol of his office shall be the mace, which shall be borne by him while enforcing order on the floor.

(Oct. 1, 1890, ch. 1256, § 2, 26 Stat. 645.)

§ 80. Disbursement of compensation of Members and Delegates by Sergeant at Arms

The moneys which have been, or may be, appropriated for the compensation and mileage of Members and Delegates shall be paid at the Treasury on requisitions drawn by the Sergeant at Arms of the House of Representatives, and shall be kept, disbursed, and accounted for by him according to law, and he shall be a disbursing officer, but he shall not be entitled to any compensation additional to the salary fixed by law.

(Oct. 1, 1890, ch. 1256, § 3, 26 Stat. 645.)

DELEGATE FROM DISTRICT OF COLUMBIA

Provisions of this section applicable, effective Sept. 22, 1970, with respect to Delegate to House of Representatives from District of Columbia in same manner and to same extent as applicable with respect to a Representative, see sections 204(a), 206(b) of Pub. L. 91-405, title II, Sept. 22, 1970, 84 Stat. 852, set out as notes under section 25 of this title.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 84 of this title.

SECTION REFERRED TO IN D.C. CODE

This section is referred to in section 1-292 of the District of Columbia Code.

§ 80a. Deductions by Sergeant at Arms in disbursement of gratuity appropriations

The Sergeant at Arms of the House is authorized, in the disbursement of gratuity appropriations, to make deductions of such amounts as may be due to or through his office or as may be due the House of Representatives.

(May 29, 1928, ch. 853, § 1, 45 Stat. 885.)

§ 81. Repealed. Pub. L. 93-344, title V, § 505(2), July 12, 1974, 88 Stat. 322

Section, R.S. § 237; acts Oct. 1, 1890, ch. 1256, § 9, 26 Stat. 646; July 2, 1954, ch. 455, title I, § 101, 68 Stat. 400, directed that the fiscal year for the adjustment of the accounts of the Sergeant at Arms of the House of Representatives for compensation and mileage of Members, Delegates, and the Resident Commissioner extend from July 1 to June 30.

EFFECTIVE DATE OF REPEAL

Repeal effective July 12, 1974, see section 905 of Pub. L. 93-344, set out as a note under section 1301 of Title 31, Money and Finance.

§ 81a. Audits and reports of fiscal records of Sergeant at Arms

In order to provide additional protection for the appropriated and trust funds of the Office of the Sergeant at Arms of the House of Representatives, the Comptroller General of the United States shall, not less frequently than once each six months, detail employees of the General Accounting Office to make an on-the-spot audit of all receipts and disbursements pertaining to the fiscal records of such Office of the Sergeant at Arms. The Comptroller General shall report to the Speaker and Sergeant at Arms of the House of Representatives the results of each such audit.

(July 26, 1949, ch. 366, 63 Stat. 482.)

CODIFICATION

Section was formerly classified to section 62b of this title.

§ 81b. Payment from contingent fund for restoration or adjustment of trust fund account of Sergeant at Arms

There is authorized to be paid out of the contingent fund of the House, upon vouchers authorized and approved by the Committee on House Administration and signed by the chairman thereof, such sums as may be necessary to

restore or otherwise adjust the trust fund account in the office of the Sergeant at Arms by the amount of any incorrect payments made therefrom as the result of errors not the result of bad faith or lack of due care made in cashing checks or making change while carrying out the functions of such office.

(June 27, 1956, ch. 453, title I, § 103, 70 Stat. 370.)

CODIFICATION

Section is based on House Resolution No. 465, Apr. 11, 1956, which was enacted into permanent law by act June 27, 1956.

§ 81c. Insurance of office funds of Sergeant at Arms; payment of premiums

The Sergeant at Arms of the House of Representatives is authorized and directed to protect the funds of his office by purchasing insurance, in the amount necessary to protect against loss with respect to such funds. Until otherwise provided by law, premiums on such insurance shall be paid out of the contingent fund of the House on vouchers signed by the Sergeant at Arms and approved by the Committee on House Administration.

(Pub. L. 85-75, title I, § 103, July 1, 1957, 71 Stat. 256.)

CODIFICATION

Section is based on House Resolution No. 144, Feb. 7, 1957, which was enacted into permanent law by Pub. L. 85-75.

§ 82. Repealed. Pub. L. 92-310, title II, § 220(d), (e), June 6, 1972, 86 Stat. 204

Section, acts Oct. 1, 1890, ch. 1256, §§ 4, 5, 26 Stat. 645, 646; Mar. 2, 1895, ch. 177 § 5, 28 Stat. 807, required the Sergeant at Arms of the House of Representatives to give a bond in the sum of $50,000.

§ 83. Tenure of office of Sergeant at Arms

Any person duly elected and qualified as Sergeant at Arms of the House of Representatives shall continue in said office until his successor is chosen and qualified subject, however, to removal by the House of Representatives.

(Oct. 1, 1890, ch. 1256, § 6, 26 Stat. 646.)

§ 84. Statement of disbursements by Sergeant at Arms

The Sergeant at Arms of the House of Representatives shall prepare and submit to the House of Representatives, at the commencement of each regular session of Congress, a statement in writing exhibiting the several sums drawn by him pursuant to sections 78 and 80 of this title, the application and disbursement of the same, and the balance, if any, remaining in his hands.

(Oct. 1, 1890, ch. 1256, § 7, 26 Stat. 646.)

§ 84-1. Compensation of Postmaster of House

The annual rate of compensation of the Postmaster of the House of Representatives shall be $27,440.

(Aug. 5, 1955, ch. 568, § 5, 69 Stat. 508; Dec. 16, 1967, Pub. L. 90-206, § 214(b), 81 Stat. 635.)

AMENDMENTS

1967—Pub. L. 90-206 increased the compensation by 4.5%.

1970 INCREASE IN PAY RATES FOR EMPLOYEES OF LEGISLATIVE BRANCH

Postmaster of the House of Representatives expressly excepted from the 6 percent increase accorded certain other Legislative Branch employees by Pub. L. 91-231, see section 3 of Pub. L. 91-231, set out as a note under section 5332 of Title 5, Government Organization and Employees.

§ 84-2. Compensation of Chaplain of House

The compensation of the Chaplain of the House of Representatives shall be at the rate of $17,965 per annum.

(Pub. L. 88-426, title II, § 203(f), Aug. 14, 1964, 78 Stat. 415; Dec. 16, 1967, Pub. L. 90-206, § 214 (b), 81 Stat. 635.)

AMENDMENTS

1967—Pub. L. 90-206 increased the compensation by 4.5%.

EFFECTIVE DATE

Section effective on the first day of the first pay period which begins on or after July 1, 1964, except to the extent provided in section 501(c) of Pub. L. 88-426, see section 501 of Pub. L. 88-426.

1970 INCREASE IN PAY RATES FOR EMPLOYEES OF LEGISLATIVE BRANCH

Chaplain of the House of Representatives expressly excepted from the 6 percent increase accorded certain other Legislative Branch employees by Pub. L. 91-231, see section 3 of Pub. L. 91-231, set out as a note under section 5332 of Title 5, Government Organization and Employees.

§§ 84-3, 84-4. Omitted

CODIFICATION

Section 84-3, which related to the compensation of the Deputy Sergeant at Arms (charge of pairs), was based on House Resolution No. 138, Feb. 2, 1961, which was enacted into permanent law by Pub. L. 87-130, § 103, Aug. 10, 1961, 75 Stat. 334, and is omitted as superseded by the House Employees Position Classification Act. See section 291 et seq. of this title.

Section 84-4, which related to the compensation of a clerk-messenger in the office of the Parliamentarian, was based on House Resolution No. 603, Apr. 16, 1962, which was enacted into permanent law by Pub. L. 88-248, § 103, Dec. 30, 1963, 77 Stat. 817, and is omitted since a lump-sum appropriation is now made for the Office of the Parliamentarian.

§ 84a. Reporters for House of Representatives

No person shall be employed as a reporter for the House of Representatives without the approval of the Speaker.

(R.S. § 54.)

PRIOR PROVISIONS

Act Apr. 2, 1872, ch. 79, § 3, 17 Stat. 47.

§ 84b. Disposition of receipts from sales of copies of transcripts

Any sums received from the sales of copies of transcripts of hearings of committees reported by such reporters shall be covered into the Treasury as "Miscellaneous receipts".

(July 17, 1947, ch. 262, § 101, 61 Stat. 365.)

§ 85. Performance of duties by employees of House

Employees of the House of Representatives under the Clerk, Sergeant at Arms, Doorkeeper, and Postmaster shall only be assigned to and engaged upon the duties of the positions to which they are appointed and for which compensation is provided, except that in cases of emergency or congestion of public business incident to the close of a session of Congress or other like cause an employee or employees may be assigned or required to aid in the discharge of the duties of any other employee or employees, and in the discretion of the Doorkeeper not more than one folder may, if necessary, be assigned to do clerical work under the direction of the foreman of the folding room, but all assignments made hereunder shall be without additional compensation and shall not constitute the basis of a claim therefor.

(Mar. 3, 1901, ch. 830, § 1, 31 Stat. 968.)

Section Referred to in Other Sections

This section is referred to in sections 90 and 91 of this title.

§ 86. Division of salaries of employees of House of Representatives

It shall not be lawful to appoint or employ in any position under the House of Representatives more than one person at any one time, or to require or permit any such person to divide with another any portion of his salary or compensation while so employed.

(Mar. 3, 1901, ch. 830, § 1, 31 Stat. 968.)

Section Referred to in Other Sections

This section is referred to in sections 90 and 91 of this title.

§ 87. Requiring or permitting employees of House of Representatives to sublet duties

It shall not be lawful to require or permit any person in the employ of the House of Representatives to sublet to another the discharge of any portion of the duties of the position to which he is appointed.

(Mar. 3, 1901, ch. 830, § 1, 31 Stat. 968.)

Cross References

Subletting duties of an employee of Senate or House forbidden, see section 101 of this title.

Sections Referred to in Other Sections

This section is referred to in sections 90 and 91 of this title.

§ 88. Omitted

Codification

Section, act Mar. 3, 1901, Ch. 830, § 1, 31 Stat. 968, prescribed age limits of twelve and eighteen for service as pages in the House of Representatives but made the restriction inapplicable to chief pages, riding pages, and telephone pages. Subject matter is now covered by section 88b-1(b) of this title.

§ 88a. Education of Congressional and Supreme Court pages; appropriations; attendance at private or parochial schools

(a) The Secretary of the Senate and the Clerk of the House of Representatives, acting jointly, are authorized and directed to enter into an arrangement with the Board of Education of the District of Columbia for the education of Congressional pages and pages of the Supreme Court in the public school system of the District. Such arrangement shall include provision for reimbursement to the District of Columbia for any additional expenses incurred by the public school system of the District in carrying out such arrangement.

(b) There are authorized to be appropriated such sums as may be necessary to reimburse the District of Columbia in accordance with the arrangement referred to in subsection (a) of this section.

(c) Notwithstanding the provisions of subsections (a) and (b) of this section, said page or pages may elect to attend a private or parochial school of their own choice: *Provided, however,* That such private or parochial school shall be reimbursed by the Senate and House of Representatives only in the same amount as would be paid if the page or pages were attending a public school under the provisions of subsections (a) and (b) of this section.

(Aug. 2, 1946, ch. 753, title II, § 243, 60 Stat. 839.)

Effective Date

Section effective Jan. 3, 1947, see section 245 of act Aug. 2, 1946, set out as a note under section 72a of this title.

Cross References

Personnel for education of pages, employment and compensation by Board of Education of District of Columbia, see D.C. Code § 31-121.

Section Referred to in Other Sections

This section is referred to in title 40 section 184a.

§ 88b. Education of other minors who are congressional employees

The facilities provided for the education of Congressional and Supreme Court pages shall be available from and after January 2, 1947, also for the education of such other minors who are congressional employees as may be certified by the Secretary of the Senate and the Clerk of the House of Representatives to receive such education.

(Mar. 22, 1947, ch. 20, title I, § 101, 61 Stat. 16.)

Section Referred to in Other Sections

This section is referred to in title 40 section 184a.

§ 88b-1. Congressional pages

(a) Appointment conditions

A person shall not be appointed as a page of the Senate or House of Representatives—

(1) unless he agrees that, in the absence of unforeseen circumstances preventing his service as a page after his appointment, he will continue to serve as a page for a period of not less than two months; and

(2) until complete information in writing is transmitted to his parent or parents, his legal guardian, or other appropriate person or persons acting as his parent or parents, with respect to the nature of the work of pages, their pay, their working conditions (including hours and scheduling of work), and the housing accommodations available to pages.

(b) Qualifications

A person shall not serve as a page—

(1) of the Senate before he has attained the age of fourteen years; or

(2) of the House of Representatives before he has attained the age of sixteen years; or

(except in the case of a chief page, telephone page, or riding page) during any session of the Congress which begins after he has attained the age of eighteen years.

(c) Pay of Senate pages

The pay of pages of the Senate shall begin not more than five days before the convening or reconvening of a session of the Congress or of the Senate and shall continue until the end of the month during which the Congress or the Senate adjourns or recesses, or until the fourteenth day after such adjournment or recess, whichever is the later date, except that, in any case in which the Congress or the Senate adjourns or recesses on or before the last day of July for a period of at least thirty days but not more than forty-five days, such pay shall continue until the end of such period of adjournment or recess.

(d) Pay of House pages

The pay of pages of the House of Representatives shall begin not more than five days before the convening of a session of the Congress and shall continue until the end of the month during which the Congress adjourns sine die or recesses or until the fourteenth day after such adjournment or recess, whichever is the later date, except that, in any case in which the House adjourns or recesses on or before the last day of July in any year for a period of at least thirty days but not more than forty-five days, such pay shall continue until the end of such period of adjournment or recess.

(Pub. L. 91-510, title IV, § 491(a)-(d), Oct. 26, 1970, 84 Stat. 1198.)

EFFECTIVE DATE

Subsecs. (a), (c), and (d) of this section effective immediately prior to noon on Jan. 3, 1971, see section 601(1) of Pub. L. 91-510, set out as a note under section 72a of this title.

Section 491(f) of Pub. L. 91-510 provided that: "Subsection (b) of this section shall become effective on January 3, 1971, but the provisions of such subsection limiting service as a page to persons who have attained the age of sixteen years shall not be construed to prohibit the continued service of any page appointed prior to the date of enactment of this Act [Oct. 26, 1970]."

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in title 40 section 184a.

§ 88c. Repealed. Pub. L. 91-510, title IV, § 491(e), Oct. 26, 1970, 84 Stat. 1198

Section, acts June 14, 1948, ch. 467, § 101, 62 Stat. 426; Oct. 11, 1951, ch. 485, § 101, 65 Stat. 390; Oct. 13, 1964, Pub. L. 88-652, § 16(b), 78 Stat. 1084, provided for compensation of pages of Senate and House, respectively, and is now covered by section 88b-1(c) and (d) of this title, respectively.

EFFECTIVE DATE OF REPEAL

Repeal effective immediately prior to noon on Jan. 3, 1971, see section 601(1) of Pub. L. 91-510, set out as a note under section 72a of this title.

§ 89. Certificates to pay rolls of employees in House of Representatives

The Clerk, Sergeant at Arms, Doorkeeper, and Postmaster of the House of Representatives shall make certificate each month to their respective pay rolls, stating whether the persons named in such pay rolls and employed in their respective departments have been actually present at their respective places of duty and have actually performed the services for which compensation is provided in said pay rolls, and in each case where a person carried on such pay roll has been absent and has not performed the services in whole or in part for which payment is proposed, the reason for such absence and for such nonperformance of services shall be stated.

(Mar. 3, 1901, ch. 830, § 1, 31 Stat. 968.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 90 and 91 of this title.

§ 89a. Certification of indebtedness of employees of House of Representatives; withholding of amount

Whenever an employee of the House of Representatives becomes indebted to the House of Representatives, or to the trust fund account in the office of the Sergeant at Arms of the House of Representatives, and such employee fails to pay such indebtedness, the chairman of the committee, or the elected officer, of the House of Representatives having jurisdiction of the activity under which such indebtedness arose, is authorized to certify to the Clerk of the House of Representatives the amount of such indebtedness. The Clerk of the House of Representatives is authorized to withhold the amount so certified from any amount which is disbursed by him and which is due to, or on behalf of, such employee. Whenever an amount is withheld under this section, the appropriate account shall be credited in an amount equal to the amount so withheld. As used in this section, the term "employee of the House of Representatives" means any person in the legislative branch of the Government whose salary, wages, or other compensation is disbursed by the Clerk of the House of Representatives.

(Pub. L. 85-492, July 2, 1958, 72 Stat. 293.)

CROSS REFERENCES

Waiver by Speaker of claims for erroneous payment of pay or allowances, see section 130d of this title.

§ 90. Removal from office of employees of House of Representatives

The violation of any of the provisions of sections 85 to 87 and 89 of this title shall, upon ascertainment thereof, be deemed to be cause for removal from office.

(Mar. 3, 1901, ch. 830, § 1, 31 Stat. 968.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 91 of this title.

§ 91. Inquiry by Committee on House Administration of House of Representatives

It shall be the duty of the Committee on House Administration of the House of Repre-

sentatives from time to time to inquire into the enforcement or violation of any of the provisions of sections 85 to 87, 89, and 90 of this title; and for this purpose they are authorized to send for persons and papers, and to administer oaths; and they shall report to the House at least once every session their compliance with the duty herein imposed.

(Mar. 3, 1901, ch. 830, § 1, 31 Stat. 968; Aug. 2, 1946, ch. 753, § 121, 60 Stat. 822.)

AMENDMENTS

1946—Act Aug. 2, 1946, substituted "Committee on House Administration" for "Committee on Accounts".

§ 92. Payment of appropriations for clerk hire for Members, Delegates, and Resident Commissioners

Appropriations made by Congress for clerk hire for Members, Delegates, and Resident Commissioners shall be paid by the Clerk of the House of Representatives to those persons, not to exceed eight in number, to be designated by each Member, Delegate, or Resident Commissioner or, in the case of each Member, Delegate, and Resident Commissioner the population of whose constituency is five hundred thousand or more, as currently estimated by the Bureau of the Census, not to exceed the foregoing number increased by one, to be designated by each such Member, Delegate, and Resident Commissioner, as the case may be, the names of such persons to be placed upon the roll of employees of the House of Representatives, together with the amount to be paid each; and Representatives, Delegates, and Resident Commissioners elected to Congress shall likewise be entitled to make such designations: *Provided,* That such persons shall be subject to removal at any time by such Member, Delegate, or Resident Commissioner with or without cause.

(Jan. 25, 1923, ch. 43, 42 Stat. 1217; July 25, 1939, ch. 352, § 1, 53 Stat. 1080; Aug. 5, 1955, ch. 568, § 11(b), 69 Stat. 509; Aug. 3, 1956, ch. 938, § 1(b), 70 Stat. 990.)

AMENDMENTS

1956—Act Aug. 3, 1956, inserted provision that where constituency is five hundred thousand or more, the number of clerks permitted may be increased by one.

1955—Act Aug. 5, 1955, substituted "to those persons, not to exceed eight in number" for "to one, two, or three persons".

1939—Act July 25, 1939, substituted "to one, two, or three persons" for "to one or two persons".

EFFECTIVE DATE OF 1955 AMENDMENT

Amendment by act Aug. 5, 1955 effective Aug. 1, 1955.

EFFECTIVE DATE OF 1939 AMENDMENT

Amendment by act July 25, 1939 effective Jan. 1, 1940.

STATUTORY NUMBER OF CLERK HIRE; INCREASE BY COMMITTEE ON HOUSE ADMINISTRATION

House Resolution No. 457, 92d Congress [section 57 of this title] authorized the Committee on House Administration to fix and adjust from time to time various allowances of Members, the Resident Commissioner, and the Delegate from the District of Columbia to the House of Representatives, and pursuant to this authority the Committee issued Order No. 16, providing: "That effective this date [Mar. 6, 1975], until otherwise provided by order of the Committee on House Administration, each Member, the Resident Commissioner from Puerto Rico, and the Delegate from the District of Columbia to the House of Representatives shall be entitled to an annual clerk hire allowance for the employment of not to exceed 18 clerks, and the Delegates from Guam and the Virgin Islands to the House of Representatives shall be entitled to an annual clerk hire allowance for the employment of not to exceed 11 clerks."

DELEGATE FROM DISTRICT OF COLUMBIA

Provisions of this section applicable, effective Sept. 22, 1970, with respect to Delegate to House of Representatives from District of Columbia in same manner and to same extent as applicable with respect to a Representative, see sections 204(a), 206(b) of Pub. L. 91-405, title II, Sept. 22, 1970, 84 Stat. 852, set out as notes under section 25 of this title.

CROSS REFERENCES

Adjustment of allowances by Committee on House Administration, see section 57 of this title.

Committee staffs, appointment, number and compensation, see section 72a of this title.

Delegates from Guam and Virgin Islands, clerk hire, see section 1715 of Title 48, Territories and Insular Possessions.

SECTION REFERRED TO IN D.C. CODE

This section is referred to in section 1-292 of the District of Columbia Code.

§ 92a. Pay of clerical assistants as affected by death of Senator or Representative

When a Senator or Member of the House of Representatives or Delegate or Resident Commissioner dies during his term of office the clerical assistants appointed by him, and then borne upon the pay rolls of the Senate or House of Representatives, shall be continued on such pay rolls in their respective positions and be paid for a period not longer than one month: *Provided,* That this shall not apply to clerical assistants of standing committees of the Senate or House of Representatives, when their service otherwise would continue beyond such period.

(Feb. 23, 1927, ch. 168, § 1, 44 Stat. 1148.)

CROSS REFERENCES

Clerical assistants of deceased Senator carried on pay roll for sixty days, see section 92e of this title.

Pay of clerical assistants to be continued until successor of deceased or resigned Member of House is elected, see section 92b of this title.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 92b and 92e of this title.

§ 92b. Pay of clerical assistants as affected by death or resignation of Member of House

Notwithstanding the provisions of section 92a of this title, in case of the death or resignation of a Member of the House during his term of office, the clerical assistants designated by him and borne upon the clerk hire pay rolls of the House of Representatives on the date of such death or resignation shall be continued upon such pay rolls at their respective salaries until the successor to such Member of the House is elected to fill the vacancy.

(Aug. 21, 1935, ch. 600, § 1, 49 Stat. 679; Apr. 24, 1950, ch. 96, 64 Stat. 82; July 15, 1952, ch. 759,

§ 1, 66 Stat. 662; Sept. 6, 1966, Pub. L. 89-554, § 8(a), 80 Stat. 657.)

AMENDMENTS

1966—Pub. L. 89-554 eliminated sentence which related to retirement service credit.

1952—Joint Res. July 15, 1952, provided retirement credit to employees for the time they were separated from employment following the death or resignation of a Member and before the election of his successor.

1950—Joint Res. Apr. 24, 1950, omitted second sentence which limited the continuance of clerical assistants of deceased or resigned House Members on the pay roll to six months.

EFFECTIVE DATE

Section 4 of act Aug. 21, 1935, provided that sections 92b to 92d of this title shall be effective as of January 3, 1935.

DELEGATE FROM DISTRICT OF COLUMBIA

Provisions of this section applicable, effective Sept. 22, 1970, with respect to Delegate to House of Representatives from District of Columbia in same manner and to same extent as applicable with respect to a Representative, see sections 204(a), 206(b), of Pub. L. 91-405, title II, Sept. 22, 1970, 84 Stat. 852, set out as notes under section 25 of this title.

CROSS REFERENCES

Pay of clerical assistants as affected by death of Senator or Representative, see section 92a of this title.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 92c and 92d of this title.

SECTION REFERRED TO IN D.C. CODE

This section is referred to in section 1-292 of the District of Columbia Code.

§ 92c. Performance of duties by clerical assistants of dead or resigned Member of House

Any clerical assistants who continue on the House pay rolls under the provisions of section 92b of this title shall, while so continued, perform their duties under the direction of the Clerk of the House, and he is authorized and directed to remove from such pay rolls any such clerks who are not attending to the duties for which their services are continued.

(Aug. 21, 1935, ch. 600, § 2, 49 Stat. 680.)

EFFECTIVE DATE

Section effective Jan. 3, 1935, see note under section 92b of this title.

§ 92d. Definition of "Member of House"

As used in section 92b of this title the phrase "Member of the House" shall mean a Representative, Representative-elect, Delegate, Delegate-elect, Resident Commissioner, or Resident Commissioner-elect.

(Aug. 21, 1935, ch. 600, § 3, 49 Stat. 680.)

EFFECTIVE DATE

Section effective Jan. 3, 1935, see note under section 92b of this title.

§ 92e. Pay of clerical assistants as affected by death of Senator

Notwithstanding the provisions of section 92a of this title, in the case of the death of a Senator during his term of office, his clerical assistants on the pay roll of the Senate on the date of such death shall be continued on such pay roll at their respective salaries for a period of not to exceed sixty days: *Provided,* That any such clerical assistants continued on the pay roll shall, while so continued, perform their duties under the direction of the Secretary of the Senate, and he is authorized and directed to remove from such pay roll any such clerks who are not attending to the duties for which their services are continued: *Provided further,* That this shall not apply to clerical assistants of standing committees of the Senate when their service otherwise would continue beyond such period.

(June 28, 1943, ch. 173, title I, § 101, 57 Stat. 223; June 26, 1944, ch. 277, title I, § 1, 58 Stat. 337; June 13, 1945, ch. 189, § 1, 59 Stat. 241; July 1, 1946, ch. 530, § 101, 60 Stat. 390.)

AMENDMENTS

1946—Act July 1, 1946, reenacted section without change.

1945—Act June 13, 1945, reenacted section without change.

1944—Act June 26, 1944, reenacted section without change.

CROSS REFERENCES

Pay of clerical assistants as affected by death of Senator or Representative, see section 92a of this title.

§§ 93, 94. Omitted

CODIFICATION

Section 93, act June 28, 1886, No. 15, 24 Stat. 342, which related to time of beginning of compensation of committee clerks, was omitted as obsolete and is now covered by section 72a of this title.

Section 94, acts Mar. 4, 1925, ch. 549, § 1, 43 Stat. 1291; May 13, 1926, ch. 294, § 1, 44 Stat. 542; Feb. 23, 1927, ch. 168, § 1, 44 Stat. 1152; May 14, 1928, ch. 551, § 1, 45 Stat. 522; Feb. 28, 1929, ch. 367, § 1, 45 Stat. 1392; June 6, 1930, ch. 407, § 1, 46 Stat. 509; Feb. 20, 1931, ch. 234, § 1, 46 Stat. 1180; June 30, 1932, ch. 314, § 1, 47 Stat. 388; Feb. 28, 1933, ch. 134, § 1, 47 Stat. 1356, related to appointment and removal of janitors, and was limited to the appropriation acts of which it was a part. It was omitted from appropriation acts subsequent to 1933.

§ 95. Payments from contingent fund of House of Representatives

No payment shall be made from the contingent fund of the House of Representatives unless sanctioned by the Committee on House Administration of the House of Representatives. Payments made upon vouchers approved by said Committee shall be deemed, held, and taken, and are declared to be conclusive upon all the departments and officers of the Government: *Provided,* That no payment shall be made from said contingent fund as additional salary or compensation to any officer or employee of the House of Representatives.

(Oct. 2, 1888, ch. 1069, 25 Stat. 546; Mar. 4, 1911, ch. 240, 36 Stat. 1318; Aug. 2, 1946, ch. 753, § 121, 60 Stat. 822; Dec. 27, 1974, Pub. L. 93-554, title I, ch. III, § 101, 88 Stat. 1776.)

AMENDMENTS

1974—Pub. L. 93-554 reenacted section substantially without change.

1946—Act Aug. 2, 1946, substituted "Committee on House Administration" for "Committee on Accounts".

EFFECTIVE DATE OF 1974 AMENDMENT

Section 101 of Pub. L. 93-554 provided in part that amendment by Pub. L. 93-554 is effective Jan. 1, 1975.

§ 96. Payment from moneys of House of Representatives of certain bills

It shall be unlawful for the Clerk of the House to pay out of any moneys of the House of Representatives any bills for laundry, supplies, or utensils, except necessary furniture, used in the barber shops of the House Office Building or the House side of the Capitol.

(July 16, 1914, ch. 141, § 1, 38 Stat. 462; Mar. 3, 1926, ch. 44, § 1, 44 Stat. 163.)

§ 97. Temporary committee on accounts of House of Representatives

The Speaker of the House of Representatives of each Congress shall, before the termination of the last session of each Congress, appoint, from the Representatives-elect, a temporary committee on accounts, of three members, which said committee on accounts shall have the same powers and perform the same duties in reference to payments made from the contingent fund of the House of Representatives of the next Congress as are authorized by law and the rules of the preceding House of Representatives. Said temporary committee on accounts shall begin to exercise its powers immediately upon the termination of the previous Congress, and shall continue to exercise and discharge said duties until after the meeting and organization of the House of Representatives of the succeeding Congress, and until the appointment of the regular committee on accounts.

All payments made out of the contingent fund of the House of Representatives upon vouchers approved by said temporary committee on accounts shall be deemed, held, and taken, and are declared to be conclusive upon all the departments and auditing officers of the Government.

(Mar. 2, 1895, ch. 177, § 1, 28 Stat. 768.)

REFERENCES IN TEXT

Words in this section, "regular committee on accounts", refer to the Committee on Accounts, which was merged into the Committee on House Administration, of the House of Representatives, by act Aug. 2, 1946, ch. 753, § 121, 60 Stat. 822, effective Jan. 2, 1947.

§§ 98, 99. Omitted

CODIFICATION

Section 98, act Mar. 3, 1885, ch. 360, 23 Stat. 512, which related to contracts for horses for service of House of Representatives, is omitted as obsolete.

Section 99, act Mar. 3, 1891, ch. 541, § 1, 26 Stat. 914, which related to contracts for horses and mail wagons for House of Representatives, is omitted as obsolete.

§ 100. Contracts for packing boxes for House of Representatives

Packing boxes for the use of the House of Representatives shall be procured after advertisement for proposals therefor, under specifications to be prepared by the Clerk of the House, and from the lowest and best bidder to furnish the same.

(Mar. 3, 1901, ch. 830, § 1, 31 Stat. 967.)

§ 101. Subletting duties of employees of Senate or House of Representatives

No employee of Congress, either in the Senate or House, shall sublet to, or hire, another to do or perform any part of the duties or work attached to the position to which he was appointed.

(Mar. 2, 1895, ch. 177, § 1, 28 Stat. 771.)

CROSS REFERENCES

Requiring or permitting employees of House of Representatives to sublet duties, see section 87 of this title.

§ 102. Omitted

CODIFICATION

Section, R.S. §§ 60, 61; Pub. L. 86-628, § 105(c), July 12, 1960, 74 Stat. 461, requiring the submission by the Secretary of the Senate and the Clerk of the House of Representatives to the two Houses of statements as to persons employed and as to expenditures and balances on hand and providing for the printing of such reports as Senate and House documents, was superseded by section 104a of this title.

§ 102a. Withdrawal of unexpended balances of appropriations

Notwithstanding the provisions of any other law, the unexpended balances of appropriations for the fiscal year 1955 and succeeding fiscal years which are subject to disbursement by the Secretary of the Senate or the Clerk of the House of Representatives shall be withdrawn as of June 30 of the second fiscal year following the year for which provided, except that the unexpended balances of such appropriations for the period commencing on July 1, 1976, and ending on September 30, 1976, and for each fiscal year beginning on or after October 1, 1976, shall be withdrawn as of September 30 of the second fiscal year following the period or year for which provided. Unpaid obligations chargeable to any of the balances so withdrawn or appropriations for prior years shall be liquidated from any appropriations for the same general purpose, which, at the time of payment, are available for disbursement.

(Pub. L. 85-58, ch. XI, § 1101, June 21, 1957, 71 Stat. 190; Pub. L. 94-303, title I, § 118(a), June 1, 1976, 90 Stat. 615.)

AMENDMENTS

1976—Pub. L. 94-303 provided that unexpended balances for the period commencing July 1, 1976, and ending Sept. 30, 1976, and for each fiscal year beginning on or after Oct. 1, 1976, be withdrawn as of Sept. 30 of the second fiscal year following the period or year for which provided.

§§ 103, 104. Omitted

CODIFICATION

Section 103, R.S. § 62, authorizing the Secretary of the Senate and the Clerk of the House to Representatives to require disbursing officers subject to their authority to return analytical statements and receipts for expenditures and to communicate such returns annually to Congress, was superseded by section 104a of this title.

Section 104, R.S. § 63, requiring that all expenditures of the Senate and House of Representatives be

made up to the end of each fiscal year and reported to Congress at the beginning of each regular session, was superseded by section 104a of this title.

§ 104a. Semiannual statements of expenditures by Secretary of the Senate and Clerk of the House of Representatives

(1) Commencing with the semiannual period beginning on July 1, 1964, and ending on December 31, 1964, and for each semiannual period thereafter, the Secretary of the Senate and the Clerk of the House of Representatives shall compile, and, not later than sixty days following the close of the semiannual period, submit to the Senate and House of Representatives, respectively, and make available to the public, in lieu of the reports and information required by sections 102, 103, and 104 of this title, and S. Res. 139, Eighty-sixth Congress, a report containing a detailed statement, by items, of the manner in which appropriations and other funds available for disbursement by the Secretary of the Senate or the Clerk of the House of Representatives, as the case may be, have been expended during the semiannual period covered by the report, including (1) the name of every person to whom any part of such appropriation has been paid, (2) if for anything furnished, the quantity and price thereof, (3) if for services rendered, the nature of the services, the time employed, and the name, title, and specific amount paid to each person, and (4) a complete statement of all amounts appropriated, received, or expended, and any unexpended balances. Such reports shall include the information contained in statements of accountability and supporting vouchers submitted to the General Accounting Office pursuant to the provisions of section 67(a) of title 31. Notwithstanding the foregoing provisions of this section, in any case in which the voucher or vouchers covering payment to any person for attendance as a witness before any committee of the Senate or House of Representatives, or any subcommittee thereof, during any semiannual period, indicate that all appearances of such person covered by such voucher or vouchers were as a witness in executive session of the committee or subcommittee, information regarding such payment, except for date of payment, voucher number, and amount paid, shall not be included in the report compiled pursuant to this subsection for such semiannual period. Any information excluded from a report for any semiannual period by reason of the foregoing sentence shall be included in the report compiled pursuant to this section for the succeeding semiannual period. Reports required to be submitted to the Senate and the House of Representatives under this section shall be printed as Senate and House documents, respectively.

(2) The report by the Secretary of the Senate under paragraph (1) for the semiannual period beginning on January 1, 1976, shall include the period beginning on July 1, 1976, and ending on September 30, 1976, and such semiannual period shall be treated as closing on September 30, 1976. Thereafter, the report by the Secretary of the Senate under paragraph (1) shall be for the semiannual periods beginning on October 1 and ending on March 31 and beginning on April 1 and ending on September 30 of each year.

(Pub. L. 88-454, § 105(a), Aug. 20, 1964, 78 Stat. 550; Pub. L. 88-656, Oct. 13, 1964, 78 Stat. 1088; Pub. L. 94-303, title I, § 118(b)(1), June 1, 1976, 90 Stat. 615.)

References in Text

Sections 102, 103, and 104 of this title, referred to in text, were omitted from the Code.

Codification

Section is based on the first paragraph of section 105 (a) of Pub. L. 88-454. Remainder of section 105(a) is classified to section 67 of Title 31, Money and Finance.

Amendments

1976—Pub. L. 94-303 designated existing provisions as par. (1) and added par. (2).

1964—Pub. L. 88-656 provided that information regarding persons paid by voucher for appearances as a witness before any committee of Congress in executive session shall not be included in the semiannual report except for date of payment, voucher number, and amount paid, however, any information so excluded shall be included in the next succeeding semiannual period.

§ 105. Preparation and contents of statement of appropriations

The statement of all appropriations made during each session of Congress shall be prepared under the direction of the Committees on Appropriations of the Senate and House of Representatives, and said statement shall contain a chronological history of the regular appropriation bills passed during the session for which it is prepared. The statement shall indicate the amount of contracts authorized by appropriation Acts in addition to appropriations made therein, and shall also contain specific reference to all indefinite appropriations made each session and shall contain such additional information concerning estimates and appropriations as the committees may deem necessary.

(Oct. 19, 1888, ch. 1210, § 1, 25 Stat. 587; July 19, 1897, ch. 9, 30 Stat. 136; June 7, 1924, ch. 303, § 1, 43 Stat. 586.)

Section Referred to in Other Sections

This section is referred to in title 44 section 725.

§ 106. Stationery for Senate and House of Representatives; advertisements for

The Secretary of the Senate and Clerk of the House of Representatives shall annually advertise, once a week for at least four weeks, in one or more of the principal papers published in the District of Columbia, for sealed proposals for supplying the Senate and House of Representatives, respectively, during the next session of Congress with the necessary stationery. The advertisement must describe the kind of stationery required, and must require the proposals to be accompanied with sufficient security for their performance.

(R.S. §§ 65, 66; Feb. 18, 1875, ch. 80, § 1, 18 Stat. 316.)

Codification

First sentence was from R.S. § 65; second sentence from R.S. § 66.

PRIOR PROVISIONS

Res. Mar. 3, 1815, No. 11, 3 Stat. 249.

CROSS REFERENCES

Stationery allowances for Senators, Representatives, etc., see sections 46a and 46b of this title.

Stationery for Senate and House may be purchased from Public Printer at cost, see section 110 of this title.

Stationery required for official use of Senate and House to be furnished by Public Printer upon requisition, see section 734 of Title 44, Public Printing and Documents.

Supplies for Senate and House may be purchased in accordance with schedule of contract articles and price of Administrator of General Services, see section 111 of this title.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 108 and 112 of this title.

§ 107. Opening bids for Senate and House of Representatives stationery; awarding contracts

All such proposals shall be kept sealed until the day specified in such advertisement for opening the same, when the same shall be opened in the presence of at least two persons, and the contract shall be given to the lowest bidder, provided he shall give satisfactory security to perform the same, under a forfeiture not exceeding double the contract price in case of failure; and in case the lowest bidder shall fail to enter into such contract and give such security, within a time to be fixed in such advertisement, then the contract shall be given to the next lowest bidder, who shall enter into such contract, and give such security. And in case of failure by the person entering into such contract to perform the same, he and his sureties shall be liable for the forfeiture specified in such contract, as liquidated damages, to be sued for in the name of the United States.

(R.S. § 67; Feb. 18, 1875, ch. 80, § 1, 18 Stat. 316.)

PRIOR PROVISIONS

Res. Mar. 3, 1815, No. 11, 3 Stat. 249.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 108 and 112 of this title.

§ 108. Contracts for separate parts of Senate and House of Representatives stationery

Sections 106 and 107 of this title shall not prevent either the Secretary or the Clerk from contracting for separate parts of the supplies of stationery required to be furnished.

(R.S. § 68.)

PRIOR PROVISIONS

Res. Mar. 3, 1815, No. 11, 3 Stat. 249.

CROSS REFERENCES

Stationery for Senate and House may be purchased from Public Printer at cost, see section 110 of this title.

Stationery required for official use of Senate and House to be furnished by Public Printer upon requisition, see section 734 of Title 44, Public Printing and Documents.

Supplies for Senate and House may be purchased in accordance with schedule of contract articles and price of Administrator of General Services, see section 111 of this title.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 112 of this title.

§ 109. American goods to be preferred in purchases for Senate and House of Representatives

The Secretary of the Senate and the Clerk of the House of Representatives shall, in disbursing the public moneys for the use of the two Houses, respectively, purchase only articles the growth and manufacture of the United States, provided the articles required can be procured of such growth and manufacture upon as good terms as to quality and price as are demanded for like articles of foreign growth and manufacture.

(R.S. § 69.)

PRIOR PROVISIONS

Act June 17, 1844, ch. 105, § 1, 5 Stat. 681.

CROSS REFERENCES

American materials required for public use, see section 10a of Title 41, Public Contracts.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 112 of this title.

§ 110. Purchase of paper, envelopes, etc., for stationery rooms of Senate and House of Representatives

Paper, envelopes, and blank books required by the stationery rooms of the Senate and House of Representatives for sale to Senators and Members for official use may be purchased from the Public Printer at actual cost thereof and payment therefor shall be made before delivery.

(June 5, 1920, ch. 253, § 1, 41 Stat. 1036.)

§ 111. Purchase of supplies for Senate and House of Representatives

Supplies for use of the Senate and the House of Representatives may be purchased in accordance with the schedule of contract articles and prices of the Administrator of General Services.

(June 5, 1920, ch. 253, § 1, 41 Stat. 1036; Ex. Ord. No. 6166, June 10, 1933, § 1; June 30, 1949, ch. 288, title I, § 102, 63 Stat. 380.)

TRANSFER OF FUNCTIONS

Ex. Ord. No. 6166, abolished the General Supply Committee of the Treasury Department and vested it in the Procurement Division. The Public Buildings Branch of the Procurement Division was in turn changed to Public Buildings Administration to be within Federal Works Agency by Reorg. Plan No. I, §§ 301, 303, eff. July 1, 1939, 4 F.R. 2729, 53 Stat. 1426, 1427.

Effective Jan. 1, 1947, the name of the Procurement Division of the Treasury Department was changed to the Bureau of Federal Supply by former regulation § 5.7 of subpart A of Part 5 of Title 41, Public Contracts, 11 F.R. 13638, issued by the Secretary of the Treasury.

The Bureau of Federal Supply and its functions and duties were transferred to the Administrator of General Services by act June 30, 1949.

§ 112. Purchases of stationery and materials for folding

Purchases of stationery and materials for folding shall be made in accordance with sections 106 to 109 of this title.

All contracts and bonds for purchases made under the authority of this section shall be filed with the Committee on Rules and Administration of the Senate or the Committee on House Administration of the House of Representatives respectively.

(Mar. 3, 1887, ch. 392, § 1, 24 Stat. 596; Aug. 2, 1946 ch. 753, §§ 102, 121, 60 Stat. 814, 822.)

AMENDMENTS

1946—Act Aug. 2, 1946, substituted "Committee on Rules and Administration" of the Senate and the "Committee on House Administration" of the House of Representatives for the "Committee to Audit and Control the Contingent Expenses" and the "Committee on Accounts", respectively.

§§ 112a to 112d. Repealed. Pub. L. 91-139, § 2(a), Dec. 5, 1969, 83 Stat. 291

The subject matter of former sections 112a to 112d of this title is now covered generally by section 112e of this title.

Section 112a, acts Mar. 25, 1953, ch. 10, § 1, 67 Stat. 7; Mar. 25, 1955, ch. 15, §§ 1, 2, 69 Stat. 13; Feb. 25, 1956, ch. 72, § 1, 70 Stat. 30; July 26, 1961, Pub. L. 87-107, § 1, 75 Stat. 221; Aug. 13, 1965, Pub. L. 89-122, 79 Stat. 1302, authorized electrical and mechanical office equipment for House Members, officers and committees.

Section 112a-1, act Mar. 25, 1953, ch. 10, § 2, as added Feb. 25, 1956, ch. 72, § 2, 70 Stat. 31, and amended July 26, 1961, Pub. L. 87-107, § 2, 75 Stat. 221; Oct. 9, 1965, Pub. L. 89-248, 79 Stat. 968; Oct. 24, 1967, Pub. L. 90-116, 81 Stat. 337, related to supply of additional typewriters.

Section 112a-2, act Mar. 25, 1953, ch. 10, § 3, as added Feb. 25, 1956, ch. 72, § 2, 70 Stat. 31, provided for payment for the equipment supplied.

Section 112b, act Mar. 25, 1953, ch. 10, § 4, formerly § 2, 67 Stat. 8, renumbered Feb. 25, 1956, ch. 72, § 2, 70 Stat. 31, provided for the registration and ownership of the equipment supplied.

Section 112c, act Mar. 25, 1953, ch. 10, § 6, formerly § 4, 67 Stat. 8, renumbered Feb. 25, 1956, ch. 72, § 2, 70 Stat. 31, defined "Member".

Section 112d, act Mar. 25, 1953, ch. 10, § 7, formerly § 5, 67 Stat. 8, renumbered Feb. 25, 1956, ch. 72, § 2, 70 Stat. 31, related to the issuance of rules and regulations.

EFFECTIVE DATE OF REPEAL

Repeal of sections 112a to 112d of this title effective at the beginning of the first calendar month which commenced on or after Dec. 5, 1969, see section 3 of Pub. L. 91-139, set out as a note under section 112e of this title.

SAVINGS CLAUSE

Section 2(b) of Pub. L. 91-139 provided that: "The repeal by subsection (a) of this section of the joint resolution of March 25, 1953 [sections 112a to 112d of this title], does not deprive any Member, officer, or committee of the House of Representatives, or the Resident Commissioner from Puerto Rico, of entitlement to the continued possession and use of office equipment furnished, under any provision of that joint resolution, to that Member, officer, committee, or the Resident Commissioner from Puerto Rico, and in use on the effective date of this Act [see Effective Date note under section 112e of this title]. However, the total value (less allowance for depreciation) of that equipment furnished to a Member or the Resident Commissioner under the first section and section 2 of the joint resolution of March 25, 1953, while in use by that Member or the Resident Commissioner on and after the effective date of this Act shall be taken into account for the purpose of determining the total value of equipment in use at any one time in the office of the Member or the Resident Commissioner under the regulations prescribed by the Committee on House Administration under the first section of this Act [section 112e of this title]."

§ 112e. Electrical and mechanical office equipment for House Members, officers and committees

(a) Authority of clerk

At the request of any Member, officer, or committee of the House of Representatives, or the Resident Commissioner from Puerto Rico, and with the approval of the Committee on House Administration, but subject to the limitations prescribed by this Act, the Clerk of the House shall furnish electrical and mechanical office equipment for use in the office of that Member, Resident Commissioner, officer, or committee. Office equipment so furnished is limited to equipment of those types and categories which the Committee on House Administration shall prescribe.

(b) Registration and ownership

Office equipment furnished under this section shall be registered in the office of the Clerk of the House of Representatives and shall remain the property of the House of Representatives.

(c) Payment

The cost of office equipment furnished under this section shall be paid from the contingent fund of the House of Representatives.

(d) Rules and regulations

The Committee on House Administration shall prescribe such regulations as it considers necessary to carry out the purposes of this section. The regulations shall limit, on such basis as the committee considers appropriate, the total value of office equipment, with allowance for equipment depreciation, which may be in use at any one time in the office of a Member or the Resident Commissioner.

(Pub. L. 91-139, § 1, Dec. 5, 1969, 83 Stat. 291.)

REFERENCES IN TEXT

This Act, referred to in subsec. (a), is Pub. L. 91-139. For classification of this Act to the Code, see Tables volume.

EFFECTIVE DATE

Section 3 of Pub. L. 91-139 provided that: "This Act [enacting this section and provisions set out as notes under this section and former sections 112a to 112d of this title, and repealing sections 112a to 112d of this title] shall become effective at the beginning of the first calendar month which commences on or after the date of enactment of this Act [Dec. 5, 1969]."

DELEGATE FROM DISTRICT OF COLUMBIA

Provisions of this section applicable, effective Sept. 22, 1970, with respect to Delegate to House of Representatives from District of Columbia in same manner and to same extent as applicable with respect to a Representative, see sections 204(a), 206(b) of Pub. L. 91-405, title II, Sept. 22, 1970, 84 Stat. 852, set out as notes under section 25 of this title.

CROSS REFERENCES

Adjustment of allowances by Committee on House Administration, see section 57 of this title.

SECTION REFERRED TO IN D.C. CODE

This section is referred to in section 1-292 of the District of Columbia Code.

§ 113. Detailed reports of receipts and expenditures by Secretary of Senate and Clerk of House of Representatives

The Secretary of the Senate and the Clerk of the House of Representatives, respectively, shall report to Congress on the first day of each regular session, and at the expiration of their terms of service, a full and complete statement of all their receipts and expenditures as such officers, showing in detail the items of expense, classifying them under the proper appropriations, and also showing the aggregate thereof, and exhibiting in a clear and concise manner the exact condition of all public moneys by them received, paid out, and remaining in their possession as such officers.

(R.S. § 70.)

PRIOR PROVISIONS

Act July 15, 1870, ch. 302, § 1, 16 Stat. 365.

§ 114. Fees for copies from Senate and House Journals

The Secretary of the Senate and the Clerk of the House of Representatives, respectively, are entitled, for transcribing and certifying extracts from the Journal of the Senate or the executive Journal of the Senate when the injunction of secrecy has been removed, or from the Journal of the House of Representatives, except when such transcripts are required by an officer of the United States in a matter relating to the duties of his office, to receive from the persons for whom such transcripts are prepared the sum of 10 cents for each sheet containing one hundred words.

(R.S. § 71.)

PRIOR PROVISIONS

Acts Sept. 15, 1789, ch. 14, § 6, 1 Stat. 69; Aug. 8, 1846, ch. 107, § 2, 9 Stat. 80; and Apr. 23, 1856, ch. 20, 11 Stat. 5.

§ 115. Index to House daily calendar

The index to the daily calendar of business of the House of Representatives shall be printed only on Monday of each week.

(Mar. 1, 1921, ch. 89, § 1, 41 Stat. 1181.)

§ 116. Repealed. May 29, 1928, ch. 901, § 1, 45 Stat. 995

Section, R.S. § 72, related to accounting by the Secretaries, Clerks, Sergeant at Arms, Postmasters, and Doorkeepers of the Senate and House of Representatives for property of the Government in their possession.

§ 117. Sale of waste paper and condemned furniture

It shall be the duty of the Clerk and Doorkeeper of the House of Representatives and the Secretary and Sergeant at Arms of the Senate to cause to be sold all waste paper and useless documents and condemned furniture that may accumulate, in their respective departments or offices, under the direction of the Committee on House Administration and the Committee on Rules and Administration of their respective houses and cover the proceeds thereof into the Treasury.

(Aug. 7, 1882, ch. 433, § 1, 22 Stat. 337; May 29, 1928, ch. 901, § 1, 45 Stat. 995; Aug. 2, 1946, ch. 753, title I,, §§ 102, 121, 60 Stat. 814, 822.)

AMENDMENTS

1946—Act Aug. 2, 1946, substituted "Committee on House Administration and the Committee on Rules and Administration" for "Committee on Accounts".

REPORT ON SALES DISCONTINUED

Par. 122 of act May 29, 1928, provided for the discontinuance of reports on waste paper, etc., as follows: "122. Reports by the Clerk and Doorkeeper of the House and the Secretary and Sergeant at Arms of the Senate of the sales of waste paper and useless documents and condemned furniture, and so forth."

§ 117a. Disposition of funds from sale of transcripts of House committee hearings

Any sums received from the sale of copies of transcripts of hearings of committees reported by the House of Representatives committee stenographers shall be covered into the Treasury as "miscellaneous receipts."

(July 1, 1941, ch. 268, § 1, 55 Stat. 454; June 8, 1942, ch. 396, § 1, 56 Stat. 338; June 28, 1943, ch. 173, title I, § 101, 57 Stat. 228; June 26, 1944, ch. 277, title I, § 1, 58 Stat. 343; June 13, 1945, ch. 189, § 1, 59 Stat. 248; July 1, 1946, ch. 530, § 101, 60 Stat. 397.)

§ 118. Actions against officers for official acts

In any action brought against any person for or on account of anything done by him while an officer of either House of Congress in the discharge of his official duty, in executing any order of such House, the United States attorney for the district within which the action is brought, on being thereto requested by the officer sued, shall enter an appearance in behalf of such officer; and all provisions of the eighth section of the Act of July 28, 1866, entitled "An Act to protect the revenue, and for other purposes", and also all provisions of the sections of former Acts therein referred to, so far as the same relate to the removal of suits, the withholding of executions, and the paying of judgments against revenue or other officers of the United States, shall become applicable to such action and to all proceedings and matters whatsoever connected therewith, and the defense of such action shall thenceforth be conducted under the supervision and direction of the Attorney General.

(Mar. 3, 1875, ch. 130, § 8, 18 Stat. 401; June 25, 1948, ch. 646, § 1, 62 Stat. 909.)

REFERENCES IN TEXT

The provisions of section 8 of act July 28, 1866, ch. 298, 14 Stat. 329, referred to in text, were contained generally in R.S. § 643, which was incorporated in the former Judicial Code, § 33, and was repealed by act June 25, 1948, ch. 646, § 39, 62 Stat. 992. Similar provisions are now set out as sections 1442, 1446, and 1447 of Title 28, Judiciary and Judicial Procedure. Other provisions referred to were contained in R.S. §§ 771, 989, which were also repealed by act June 25, 1948,

and are now covered by sections 509, 547, and 2006, respectively, of said Title 28.

CHANGE OF NAME

Act June 25, 1948, eff. Sept. 1, 1948, substituted "United States attorney" for "district attorney". See section 541 of Title 28, Judiciary and Judicial Procedure.

FEDERAL RULES OF CIVIL PROCEDURE

Judgment against certain public officers, satisfaction of, see rule 69, Title 28, Appendix, Judiciary and Judicial Procedure.

§ 119. Stationery rooms of House and Senate; specification of classes of articles purchasable

The Committee on House Administration of the House of Representatives and the Committee on Rules and Administration of the Senate, respectively, shall make and issue regulations specifying the classes of articles which may be purchased by or through the stationery rooms of the House and Senate.

(May 13, 1926, ch. 294, § 2, 44 Stat. 552; Aug. 2, 1946, ch. 753, title I, §§ 102, 121, 60 Stat. 814, 822.)

AMENDMENTS

1946—Act Aug. 2, 1946, substituted "Committee on House Administration" of the House of Representatives and the "Committee on Rules and Administration" of the Senate for the "Committee on Accounts" and the "Committee to Audit and Control the Contingent Expenses", respectively.

§ 119a. Change of name of Senate Folding Room to Senate Service Department

On and after July 2, 1954, the Senate Folding Room shall be known as the Senate Service Department.

(July 2, 1954, ch. 455, title I, § 101, 68 Stat. 397.)

§ 120. Omitted

CODIFICATION

Section, act Feb. 23, 1927, ch. 168, § 1, 44 Stat. 1150, changed the name of "clerk to Speaker's table" to "parliamentarian" and is omitted as executed.

§ 121. Senate restaurant deficit fund; deposit of proceeds from surcharge on orders

The Committee on Rules and Administration of the United States Senate is authorized and directed hereafter to add a minimum of 10 per centum to each order in excess of 10 cents served in the Senate restaurants and 20 per centum to all orders served outside of said restaurants, and the proceeds accruing therefrom shall be placed in a fund to be used in the payment of any deficit incurred in the management of such kitchens and restaurants.

(May 18, 1937, ch. 223, § 1, 50 Stat. 173; Aug. 2, 1946, ch. 753, title I, § 102, 60 Stat. 814.)

AMENDMENTS

1946—Act Aug. 2, 1946, substituted "Committee on Rules and Administration" for "Committee on Rules".

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in title 5 section 5363.

§ 121a. Senate Employees Barber Shop Revolving Fund

(a) Establishment

There is hereby established in the Treasury of the United States a revolving fund within the contingent fund of the Senate to be known as the Senate Employees Barber Shop Revolving Fund (hereafter in this section referred to as the "revolving fund").

(b) Deposit of proceeds from services, etc., of Senate employees barber shop; availability of moneys for disbursement

All moneys received by the Senate employees barber shop from fees for services or from any other source shall be deposited to the credit of the revolving fund. Moneys in the revolving fund shall be available without fiscal year limitation for disbursement by the Secretary of the Senate for additional compensation of personnel of the Senate employees barber shop, as determined by the Sergeant at Arms and Doorkeeper of the Senate, and for necessary supplies for the Senate employees barber shop.

(c) Amount of deposit into Treasury of United States from preceding fiscal year

On or before December 31 of each year, the Secretary of the Senate shall withdraw from the revolving fund and deposit in the Treasury of the United States as miscellaneous receipts an amount equal to the amount in the revolving fund at the close of the preceding fiscal year, reduced by the amount of outlays from the revolving fund after the close of such year attributable to obligations incurred during such year.

(d) Disbursements upon vouchers

Disbursements from the revolving fund shall be made upon vouchers signed by the Sergeant at Arms and Doorkeeper of the Senate.

(e) Regulations

The Sergeant at Arms and Doorkeeper of the Senate is authorized to prescribe such regulations as may be necessary to carry out the provisions of this section.

(f) Effective date

This section shall take effect on October 1, 1976.

(Pub. L. 94-440, title I, § 106, Oct. 1, 1976, 90 Stat. 1444.)

§ 122. Office space in home districts of House Members and Resident Commissioner

Each Member shall be entitled to office space suitable for his use in the district he represents, at not more than two places designated by him in such district. The Sergeant at Arms shall secure office space satisfactory to the Member in post offices or other Federal buildings if such space is available. Office space to which a Member is entitled under this section which is not secured by the Sergeant at Arms, may be secured by the Member, and the Clerk shall approve for payment from the contingent fund of the House of Representatives vouchers covering bona fide statements of amounts due for such office space not exceeding $2,400 per annum. As used in this section the term "Member" means each Member of the House of Representatives and the Resident Commissioner from Puerto

Rico; the term "district" means each congressional district, Puerto Rico, and, in the case of a Representative at Large, a State; and the term "Clerk" means the Clerk of the House of Representatives.

(July 2, 1954, ch. 455, title I, § 101, 68 Stat. 403; Sept. 7, 1957, Pub. L. 85-301, § 1, 71 Stat. 622; Sept. 29, 1965, Pub. L. 89-211, § 1(a), 79 Stat. 857.)

AMENDMENTS

1965—Pub. L. 89-211 substituted "$2,400" for "$1,200" and struck out "the Delegate from Alaska, the Delegate from Hawaii" preceding "and the Resident Commissioner from Puerto Rico" and "Alaska, Hawaii" following "each congressional district".

1957—Pub. L. 85-301 amended section generally, and among other changes, increased the amount payable from the contingent fund from $900 to $1,200 per annum, and defined the terms "Member" and "Clerk".

EFFECTIVE DATE OF 1965 AMENDMENT

Amendment by Pub. L. 89-211 effective on the first day of the first month which begins after September 29, 1965, see section 2 of Pub. L. 89-211.

EFFECTIVE DATE OF 1957 AMENDMENT

Section 2 of Pub. L. 85-301, provided that the amendment of this section shall take effect Aug. 1, 1957.

DELEGATE FROM DISTRICT OF COLUMBIA

Provisions of this section applicable, effective Sept. 22, 1970, with respect to Delegate to House of Representatives from District of Columbia in same manner and to same extent as applicable with respect to a Representative, see sections 204(a), 206(b) of Pub. L. 91-405, title II, Sept. 22, 1970, 84 Stat. 852, set out as notes under section 25 of this title.

SIMILAR PROVISIONS

Section is from the Legislative-Judiciary Appropriation Act, 1955, act July 2, 1954. Similar provisions, apparently on a fiscal year basis, were contained in the following prior appropriation acts:

Aug. 1, 1953, ch. 304, title I, § 101, 67 Stat. 325.

July 9, 1952, ch. 598, § 101, 66 Stat. 470.

CROSS REFERENCES

Adjustment of allowances by Committee on House Administration, see section 57 of this title.

SECTION REFERRED TO IN D.C. CODE

This section is referred to in section 1-292 of the District of Columbia Code.

§ 122a. Reimbursement of House Members and Resident Commissioner for office expenses outside District of Columbia

The Clerk of the House is authorized and directed to reimburse each Member, and the Resident Commissioner from Puerto Rico, from the contingent fund in an amount not to exceed $300 quarterly, upon certification of each such Member and Resident Commissioner for official expenses incurred outside the District of Columbia.

(July 2, 1954, ch. 455, title I, § 101, 68 Stat. 403; June 13, 1957, Pub. L. 85-54, 71 Stat. 82; July 27, 1965, Pub. L. 89-90, § 103, 79 Stat. 281.)

AMENDMENTS

1965—An additional quarterly allowance of $150, effective January 1, 1965, was authorized by House Resolution No. 831, which was enacted into permanent law by Pub. L. 89-90.

1957—Pub. L. 85-54 broadened the authorization for reimbursement of a Member's office expenses, formerly restricted to expenses incurred in his Congressional district, to expenses incurred outside the District of Columbia.

SIMILAR PROVISIONS

Section is from the Legislative Appropriation Act, 1955, Act July 2, 1954. Similar provisions were contained in the Legislative Appropriation Act, 1956, act Aug. 5, 1955, ch. 568, § 101, 69 Stat. 513.

Section 103 of said act Aug. 5, 1955, provided in part that the provisions therein for the various items of official expenses of Members should be the permanent law with respect thereto.

MEMBER DEFINED

Section 101 of act July 2, 1954, in fixing amounts for salaries, mileage, and expenses of Members of the House of Representatives provided in part that "wherever used herein the term 'Member' shall include Members of the House of Representatives, Delegates from the Territories, and the Resident Commissioner from Puerto Rico".

CROSS REFERENCES

Adjustment of allowances by Committee on House Administration, see section 57 of this title.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 31b-2 of this title.

§ 123. Repealed. June 27, 1956, ch. 453, § 105(m), 70 Stat. 372

Section, act Aug. 7, 1953, ch. 341, 67 Stat. 439, established a joint Senate and House Recording Facility revolving fund, provided for the disposition of monies, and required the coordinator of the Facility to give a penal bond. See section 123b(m) of this title.

§ 123a. Omitted

CODIFICATION

Section, act Aug. 5, 1955, ch. 568, § 1, 69 Stat. 500, which established the basic annual compensation of the coordinator, Joint Recording Facility, has been omitted in view of section 123b(*l*) of this title which abolished the Joint Recording Facility positions and salaries established pursuant to the Legislative Branch Appropriation Act, 1948, and all subsequent acts.

§ 123b. House and Senate Recording Studios

(a) Establishment

There is established a House Recording Studio and a Senate Recording Studio.

(b) Assistance in making disk, film, and tape recordings; exclusiveness of use

The House Recording Studio shall assist Members of the House of Representatives in making disk, film, and tape recordings, and in performing such other functions and duties in connection with the making of such recordings as may be necessary. The Senate Recording Studio shall assist Members of the Senate and committees of the Senate in making disk, film, and tape recordings, and in performing such other functions and duties in connection with the making of such recordings as may be necessary. The House Recording Studio shall be for the exclusive use of Members of the House of Representatives (including the Delegates and the Resident Commissioner from Puerto Rico);

the Senate Recording Studio shall be for the exclusive use of Members of the Senate, the Vice President, and Committees of the Senate.

(c) Operation of studios

The House Recording Studio shall be operated by the Clerk of the House of Representatives under the direction and control of a committee which is created (hereinafter referred to as the committee) composed of three Members of the House. Two members of the committee shall be from the majority party and one member shall be from the minority party, to be appointed by the Speaker. The committee is authorized to issue such rules and regulations relating to operation of the House Recording Studio as it may deem necessary.

The Senate Recording Studio shall be operated by the Sergeant at Arms of the Senate under the direction and control of the Committee on Rules and Administration of the Senate. The Committee on Rules and Administration is authorized to issue such rules and regulations relating to operation of the Senate Recording Studio as it may deem necessary.

(d) Prices of disk, film, and tape recordings; collection of moneys

The Clerk of the House of Representatives shall, subject to the approval of the committee, set the price of making disk, film, and tape recordings, and collect all moneys owed the House Recording Studio. The Committee on Rules and Administration of the Senate shall set the price of making disk, film, and tape recordings and all moneys owed the Senate Recording Studio shall be collected by the Sergeant at Arms of the Senate.

(e) Restrictions on expenditures

No moneys shall be expended or obligated for the House Recording Studio except as shall be pursuant to such regulations as the committee may approve. No moneys shall be expended or obligated by the Director of the Senate Recording Studio until approval therefor has been obtained from the Sergeant at Arms of the Senate.

(f) Appointment of Director and other employees of House Recording Studio

The Clerk of the House of Representatives is authorized, subject to the approval of the committee, to appoint a Director of the House Recording Studio and such other employees as are deemed necessary to the operation of the House Recording Studio.

(g) Revolving funds

There is established in the Treasury of the United States, a revolving fund within the contingent fund of the House of Representatives for the House Recording Studio for the purposes of administering the duties of that studio. There is also established in the Treasury of the United States, a revolving fund within the contingent fund of the Senate for the Senate Recording Studio for the purposes of administering the duties of that studio.

(h) Deposits in funds; availability of funds

All moneys received by the House Recording Studio from Members of the House of Representatives for disk, film, or tape recordings, or from any other source, shall be deposited by the Clerk of the House of Representatives in the revolving fund established for the House Recording Studio by subsection (g) of this section; moneys in such fund shall be available for disbursement therefrom by the Clerk of the House of Representatives for the care, maintenance, operation, and other expenses of the studio upon vouchers signed and approved in such manner as the committee shall prescribe. All moneys received by the Senate Recording Studio for disk, film, or tape recordings or from any other source, shall be deposited in the revolving fund established for the Senate Recording Studio by subsection (g) of this section; moneys in such fund shall be available for disbursement therefrom upon vouchers signed and approved by the Sergeant at Arms for the care, maintenance, operation, and other expenses of the Senate Recording Studio.

(i) Distribution of equity of Joint Senate and House Recording Facility Revolving Fund; assignment of existing studio facilities, equipment, materials and supplies; transfer of accounts; reserve fund; distribution of balance

(1) As soon as practicable after June 27, 1956 but no later than September 30, 1956, the equity of the Joint Senate and House Recording Facility Revolving Fund shall be distributed equally to the Senate and House of Representatives on the basis of an audit to be made by the General Accounting Office.

(2) The Sergeant at Arms of the Senate and the Clerk of the House of Representatives shall, subject to the approval of the committees mentioned in subsection (c) of this section, determine the assignment of existing studio facilities to the Senate and the House of Representatives, and also the existing equipment, materials and supplies to be transferred to the respective studios. The evaluation of equipment, materials and supplies transferred to each studio shall be on the basis of market value. Any other equipment, materials and supplies determined to be obsolete or not needed for the operation of the respective studio shall be disposed of to the best interest of the Government and the proceeds thereof deposited in the Joint Senate and House Recording Facility Revolving Fund.

(3) Accounts receivable, which on the effective date of liquidation, are due from Members and committees of the Senate shall be transferred to the Senate Studio, and those due from Members and committees of the House of Representatives shall be transferred to the House Studio.

(4) A sufficient reserve shall be set aside from the Joint Senate and House Recording Facility Revolving Fund to liquidate any outstanding accounts payable.

(5) After appropriate adjustments for the value of assets assigned or transferred to the Senate and House of Representatives, respectively, the balance in the Joint Senate and House Recording Facility Revolving Fund shall be distributed equally to the Senate and House of Representatives for deposit to the respective revolving funds authorized by this section.

(j) Availability of existing services and facilities

Pending acquisition of the stock, supplies, materials, and equipment necessary to properly equip both studios, the present services and fa-

cilities shall be made available to both studios in order that each studio may carry out its duty.

(k) Restrictions on employment

No person shall be an officer or employee of the House or Senate Recording Studio while he is engaged in any other business, profession, occupation, or employment which involves the performance of duties which are similar to those which would be performed by him as such an officer or employee of such studio unless approved in writing by the committee in the case of the House Recording Studio and the Senate Committee on Rules and Administration in the case of the Senate Recording Studio.

(l) Abolition of Joint Recording Facility positions and salaries

The Joint Recording Facility positions and salaries established pursuant to the Legislative Branch Appropriation Act, 1948, and all subsequent Acts are abolished.

(m) Repeals

Effective with the completion of the transfer provided for by subsection (i) of this section the joint resolution entitled "Joint resolution establishing in the Treasury of the United States a revolving fund within the contingent fund of the House of Representatives", approved August 7, 1953, is repealed.

(n) Repealed. Pub. L. 92-310, title II, § 220(j), June 6, 1972, 86 Stat. 205

(o) Authorization of appropriations

Such sums as may be necessary to carry out the provisions of this section are authorized to be appropriated.

(June 27, 1956, ch. 453, § 105, 70 Stat. 370; Oct. 13, 1964, Pub. L. 88-652, § 16(a), 78 Stat. 1084; June 6, 1972, Pub. L. 92-310, title II, § 220(j), 86 Stat. 205.)

AMENDMENTS

1972—Subsec. (n). Pub. L. 92-310 repealed subsec. (n) which required the Directors of the House and Senate Recording Studios to give bonds in the sum of $20,000 each.

1964—Subsec. (f). Pub. L. 88-652 deleted "and fix the compensation of" following "to appoint".

EFFECTIVE DATE OF 1964 AMENDMENT

Amendment by Pub. L. 88-652 effective Jan. 1, 1965, see section 17 of Pub. L. 88-652, set out as a note under section 291 of this title.

DELEGATE FROM DISTRICT OF COLUMBIA

Provisions of this section applicable, effective Sept. 22, 1970, with respect to Delegate to House of Representatives from District of Columbia in same manner and to same extent as applicable with respect to a Representative, see sections 204(a), 206(b) of Pub. L. 91-405, title II, Sept. 22, 1970, 84 Stat. 852, set out as notes under section 25 of this title.

CROSS REFERENCES

Compensation of director, Senate Recording Studio, see section 61f of this title.

SECTION REFERRED TO IN D.C. CODE

This section is referred to in section 1-292 of the District of Columbia Code.

§ 123c. Automatic data processing equipment

Notwithstanding any other provision of law, the Sergeant at Arms, subject to the approval of the Committee on Rules and Administration, is hereafter authorized to enter into multi-year leases for automatic data processing equipment.

(Pub. L. 94-32, title I, § 101, June 12, 1975, 89 Stat. 182.)

CODIFICATION

Section is part of Title I of the Second Supplemental Appropriations Act, 1975. The remainder of Title I is classified to sections 46a, 59(e), 59 note, and 61-1 note of this title, and section 3304 note of Title 26, Internal Revenue Code.

EFFECTIVE DATE

Section 101 of Pub. L. 94-32 provided in part that this section is effective June 12, 1975.

§ 123d. Senate Computer Center

(a) Senate Computer Center Revolving Fund

(1) There is hereby established in the Treasury of the United States a revolving fund within the contingent fund of the Senate to be known as the Senate Computer Center Revolving Fund (hereafter in this section referred to as the "revolving fund").

(2) The revolving fund shall be available only for paying the salaries of personnel employed under subsection (c) of this section, and agency contributions attributable thereto, and for paying refunds under contracts entered into under subsection (b) of this section.

(3) Within 90 days after the end of each fiscal year, the Secretary of the Senate shall withdraw all amounts in the revolving fund in excess of $100,000, other than amounts required to make refunds under subsection (b) (2) (B) of this section, and shall deposit the amounts withdrawn in the Treasury of the United States as miscellaneous receipts.

(b) Contracts for use of Senate computer; approval; terms

(1) Subject to the provisions of paragraph (2), the Sergeant at Arms and Doorkeeper of the Senate is authorized to enter into contracts with any agency or instrumentality of the legislative branch for the use of any available time on the Senate computer.

(2) No contract may be entered into under paragraph (1) unless it has been approved by the Committee on Rules and Administration of the Senate, and no such contract may extend beyond the end of the fiscal year in which it is entered into. Each contract entered into under paragraph (1) shall contain—

(A) a provision requiring full advance payment for the amount of time contracted for, and

(B) a provision requiring refund of a proportionate amount of such advance payment if the total amount of time contracted for is not used.

Notwithstanding any other provision of law, any agency or instrumentality of the legislative branch is authorized to make advance payments under a contract entered into under paragraph (1).

(c) Additional personnel

To the extent that the personnel of the Senate Computer Center are unable to carry out the contracts entered into under subsection (b) of this section according to their terms and conditions, the Sergeant at Arms and Doorkeeper of the Senate is authorized to employ such additional personnel for the Senate Computer Center as may be necessary to carry out such contracts, and to pay the salaries of such additional personnel, and agency contributions attributable thereto, from the revolving fund. Such additional personnel may temporarily be assigned to perform the regular functions of the Senate Computer Center when their services are not needed to carry out such contracts.

(d) Disbursements

Disbursements from the revolving fund under subsections (b) and (c) of this section shall be made upon vouchers signed by the Sergeant at Arms and Doorkeeper of the Senate, except that vouchers shall not be required for the disbursement of salaries of employees paid at an annual rate.

(Pub. L. 94-303, title I, § 116, June 1, 1976, 90 Stat. 614.)

§ 124. Arrangements for attendance at funeral of deceased House Members; payment of funeral expenses and expenses of attending funeral rites

Notwithstanding any other provision of law, the Sergeant at Arms of the House is authorized and directed on and after October 2, 1962, to make such arrangements as may be necessary for any committee of Members of the Senate and House of Representatives duly appointed to attend the funeral of a deceased Member of the House. Notwithstanding any other provision of law, there shall be paid out of the contingent fund of the House, under such rules and regulations as the Committee on House Administration may prescribe, such sums as may be necessary to defray the funeral expenses of the deceased Member and to defray the expenses of such committee, the Sergeant at Arms of the House or a representative of his office, and the widow (or widower) or minor children, or both, of the deceased Member incurred in attending the funeral rites and burial of such Member.

(Pub. L. 87-730, § 101, Oct. 2, 1962, 76 Stat. 686.)

SIMILAR PROVISIONS

Section is from the Legislative Branch Appropriation Act, 1963, Pub. L. 87-730. Similar provisions were contained in the following prior appropriation acts:
Aug. 5, 1955, ch. 568, § 101, 69 Stat. 513.
July 2, 1954, ch. 455, title I, § 101, 68 Stat. 403.
Aug. 1, 1953, ch. 304, title I, § 101, 67 Stat. 325.

§ 125. Gratuities for survivors of deceased House employees; computation

The Clerk of the House is on and after July 2, 1954, authorized to pay, from the contingent fund of the House, a gratuity to the widow, widower, or heirs-at-law, of each deceased employee of the House an amount equal to one month's salary for each year or part of year of the first six years service of such employee plus one-half of one month's salary for each year or part of year of such service in excess of six years to and including the eighteenth year of such service. Service computed hereunder shall include all Federal civilian employment, and military service where such service interrupted Federal civilian employment.

(July 2, 1954, ch. 455, title I, § 101, 68 Stat. 403.)

CROSS REFERENCES

Gratuities for survivors of deceased employees under the jurisdiction of the Architect of the Capitol, see section 166b-4 of Title 40, Public Buildings, Property, and Works.

§ 125a. Death gratuity payments as gifts

Any death gratuity payment at any time specifically appropriated by any Act of Congress or at any time made out of the contingent fund of the House of Representatives or of the Senate shall be held to have been a gift.

(June 5, 1952, ch. 369, ch. I, § 101, 66 Stat. 101.)

CODIFICATION

Provisions are also set out as section 38b of this title.

§ 126. Repealed. Pub. L. 89-554, § 8, Sept. 6, 1966, 80 Stat. 658

Section, act Sept. 1, 1954, ch. 1208, title VI, § 603, 68 Stat. 1116, provided that the official reporters of Senate proceedings and their employees should be considered officers or employees of the legislative branch within section 2091(a) of Title 5, Government Organization and Employees.

§ 126-1. Employment of reporters, clerks and transcribers; compensation

The Secretary of the Senate may employ one chief reporter of debates at, effective July 1, 1975, not to exceed $36,089 per annum, seven reporters of debates at, effective July 1, 1965, $8,880 basic per annum each, one assistant reporter of debates at, effective January 1, 1968, $17,860 gross per annum, and effective July 1, 1965, two clerks at $4,200 basic per annum each, and six expert transcribers at $3,900 basic per annum each.

(Pub. L. 89-90, § 101, July 27, 1965, 79 Stat. 265; Pub. L. 90-239, ch. IV, § 401, Jan. 2, 1968, 81 Stat. 174; Pub. L. 94-59, title I, § 100, July 25, 1975, 89 Stat. 270.)

AMENDMENTS

1975—Pub. L. 94-59 authorized the Secretary to fix the compensation of a chief reporter of debates at not to exceed $36,089 per annum in lieu of $36,000 per annum, effective July 1, 1975.

1968—Pub. L. 90-239 authorized the Secretary to fix the compensation of the assistant reporter of debates at not to exceed $17,860 gross per annum, previously employed at $6,120 basic per annum.

EFFECTIVE DATE OF 1968 AMENDMENT

Section 401 of Pub. L. 90-239 authorized the compensation of the assistant reporter of debates to be fixed effective Jan. 1, 1968.

INCREASES IN COMPENSATION

Increases in compensation for officers and employees of the Senate under authority of the Federal Pay Comparability Act of 1970 (Pub. L. 91-656), see Salary Directives of the President pro tempore of the Senate, set out as notes under section 60a-1 of this title.

Increase in compensation under the salary comparability policy for 1968 and 1969 as set out in the Federal Salary Act of 1967, see 1968 and 1969 Directives of the President pro tempore of the Senate, set out under section 60a-1 of this title, and the President's salary recommendations for 1969 increases, set out under section 358 of this title.

§ 126-2. Designation of reporters

The reporters of debates in the office of the Secretary of the Senate are hereby designated the official reporters of debates of the Senate.

(Pub. L. 89-545, § 101, Aug. 27, 1966, 80 Stat. 354.)

§ 126a. Omitted

CODIFICATION

Section, Pub. L. 86-628, § 101, July 12, 1960, 74 Stat. 447, related to appointment of reporters, transcribers and other employees by the Official Reporter of Debates of the Senate, and is omitted as superseded by section 126-1 of this title.

SIMILAR PROVISIONS

Section was from Legislative Branch Appropriation Act, 1962, Pub. L. 87-130. Similar provisions were contained in prior appropriation acts as follows:

Act June 27, 1956, ch. 453, § 101, 70 Stat. 360, as amended by July 12, 1960, Pub. L. 86-628, § 101, 74 Stat. 449; Mar. 31, 1961, Pub. L. 87-14, title I, § 101, 75 Stat. 29.

Act Aug. 5, 1955, ch. 568, § 1, 69 Stat. 504.

§ 126b. Emergency reporters and transcribers; payments from contingent fund

The Secretary of the Senate is on and after July 27, 1965, authorized to obtain, by contract or otherwise, emergency reporters and transcribers as may be necessary, payments therefor to be made from the contingent fund of the Senate.

(Pub. L. 89-90, § 101, July 27, 1965, 79 Stat. 266.)

§ 127. Repealed. Pub. L. 92-51, § 101, July 9, 1971, 85 Stat. 129

Section, Pub. L. 87-130, § 101, Aug. 10, 1961, 75 Stat. 323; Pub. L. 89-90, § 101, July 27, 1965, 79 Stat. 269; Pub. L. 91-145, § 101, Dec. 12, 1969, 83 Stat. 343, provided for reimbursement of transportation expenses of employees in Senator's office, authorizing eight round trips in any fiscal year and two additional mileage payments when office of Senator is from a State having a population of ten million or more inhabitants and requiring voucher certification of travel as being in line of official duty, and is now covered by section 43b of this title.

EFFECTIVE DATE OF REPEAL

Section 101 of Pub. L. 92-51 provided in part for repeal of provisions effective July 1, 1971.

§ 127a. Reimbursement of transportation expenses for employees in office of Member of House of Representatives

The contingent fund of the House of Representatives is made available after August 28, 1965, for reimbursement of transportation expenses incurred by not to exceed two employees in the office of a Member of the House of Representatives (including the Resident Commissioner from Puerto Rico) for one round trip each, or incurred by not to exceed one employee for two round trips, in any calendar year between Washington, District of Columbia, and the place of residence of the Member representing the congressional district involved. Such payment shall be made only upon vouchers approved by the Member containing a certification by him that such travel was performed in line of official duty, but the mileage allowed for any such trip shall not exceed the round trip mileage by the nearest usual route between Washington, District of Columbia, and the Member's place of residence in the congressional district involved. The Committee on House Administration of the House of Representatives shall make such rules and regulations as may be necessary to carry out this section.

(Pub. L. 89-147, § 3, Aug. 28, 1965, 79 Stat. 583.)

CROSS REFERENCES

Adjustment of allowances by Committee on House Administration, see section 57 of this title.

§§ 128, 129. Repealed. Pub. L. 89-554, § 8(a), Sept. 6, 1966, 80 Stat. 658, 659

Section 128, act Aug. 5, 1955, ch. 568, § 101, 69 Stat. 513, authorized contributions for group life insurance of House employees from the contingent fund of the House. See section 8708 of Title 5, Government Organization and Employees.

Section 129, Pub. L. 85-75, § 101, July 1, 1957, 71 Stat. 248, authorized contributions to retirement and disability fund from contingent fund of the House. See section 8334 of Title 5, Government Organization and Employees.

§ 130. Participation by House in interparliamentary institutions; payment of expenses

(a) It is the purpose of this section to enable the House of Representatives more properly to discharge and coordinate its activities and responsibilities in connection with participation in various interparliamentary institutions and to facilitate the interchange and reception in the United States of members of foreign legislative bodies and permanent officials of foreign governments.

(b) There shall be paid out of the contingent fund of the House, until otherwise provided by law, such sums as may be necessary, but not to exceed $5,000 in any calendar year, for payment of expenses incurred in carrying out subsections (a) and (b) of this section, on vouchers signed by the chairman of the Committee on International Relations, and approved by the Committee on House Administration.

(Pub. L. 87-730, § 103, Oct. 2, 1962, 76 Stat. 693; H. Res. 163, Mar. 19, 1975.)

CODIFICATION

Section is based on section 1 of House Resolution No. 348, June 29, 1961, which was enacted into permanent law by Pub. L. 87-730. Section 2 of House Resolution No. 348, which authorized the employment of an additional employee by the Committee on Foreign Affairs (now the Committee on International Relations) is incorporated in section 72a(k) (4) of this title.

CHANGE OF NAME

The name of the Committee on Foreign Affairs of the House of Representatives was changed to Committee on International Relations on Mar. 19, 1975, by House Resolution 163, 94th Congress.

§ 130a. Nonpay status for Congressional employees studying under Congressional staff fellowships

With respect to each employee of the Senate or House of Representatives—

(1) whose compensation is disbursed by the Secretary of the Senate or the Clerk of the House of Representatives, and

(2) who, on or after January 1, 1963 shall have been separated from employment with the Senate or House of Representatives in order to pursue certain studies under a congressional staff fellowship awarded by the American Political Science Association,

the period of time covered by such fellowship shall be held and considered to be service (in a nonpay status) in employment with the Senate or House of Representatives, as the case may be, at the rate of compensation received immediately prior to separation (including any increases in compensation provided by law during the period covered by such fellowship) for the purposes of—

(A) subchapter III (relating to civil service retirement) of chapter 83 of title 5,

(B) chapter 87 (relating to Federal employees group life insurance) of title 5, and

(C) chapter 89 (relating to Federal employees group health insurance) of title 5,

if the award of such fellowship to such employee is certified to the Secretary of the Senate or the Clerk of the House of Representatives, as appropriate, by the appointing authority concerned or, in the event of the death or disability of such appointing authority, is established to the satisfaction of the Secretary of the Senate or the Clerk of the House by records or other evidence.

(Pub. L. 89-379, Mar. 30, 1966, 80 Stat. 94.)

CODIFICATION

In subsec. (k)(4), references to subchapter III of chapter 83, chapter 87, and chapter 89 of title 5, were substituted for references to the Civil Service Retirement Act, as amended, the Federal Employees' Group Life Insurance Act of 1954, as amended, and the Federal Employees' Health Benefits Act of 1959, as amended, on authority of sec. 7(b) of Pub. L. 89-554, Sept. 6, 1966, 80 Stat. 631, the first section of which enacted Title 5, Government Organization and Employees.

§ 130b. Jury and witness service by employees of the Senate and the House

(a) Definitions

For purposes of this section—

(1) "employee" means any individual whose pay is disbursed by the Secretary of the Senate or the Clerk of the House of Representatives; and

(2) "court of the United States" has the meaning given it by section 451 of title 28 and includes the United States District Court for the District of the Canal Zone, the District Court of Guam, and the District Court of the Virgin Islands.

(b) Service as juror or witness in connection with a judicial proceeding; prohibition against reduction of pay

The pay of an employee shall not be reduced during a period of absence with respect to which the employee is summoned (and permitted to respond to such summons by the appropriate authority of the House of the Congress disbursing his pay), in connection with a judicial proceeding by a court or authority responsible for the conduct of that proceeding, to serve—

(1) as a juror; or

(2) other than as provided in subsection (c) of this section, as a witness on behalf of any party in connection with any judicial proceeding to which the United States, the District of Columbia, or a State or local government is a party;

in the District of Columbia, a State, territory, or possession of the United States including the Commonwealth of Puerto Rico, the Canal Zone, or the Trust Territory of the Pacific Islands. For purposes of this subsection, "judicial proceeding" means any action, suit, or other judicial proceeding, including any condemnation, preliminary, informational, or other proceeding of a judicial nature, but does not include an administrative proceeding.

(c) Official duty

An employee is performing official duty during the period with respect to which he is summoned (and is authorized to respond to such summons by the House of the Congress disbursing his pay), or is assigned by such House, to—

(1) testify or produce official records on behalf of the United States or the District of Columbia; or

(2) testify in his official capacity or produce official records on behalf of a party other than the United States or the District of Columbia.

(d) Prohibition on receipt of jury or witness fees

(1) An employee may not receive fees for service—

(A) as juror in a court of the United States or the District of Columbia; or

(B) as a witness on behalf of the United States or the District of Columbia.

(2) If an employee receives an amount (other than travel expenses) for service as a juror or witness during a period in which his pay may not be reduced under subsection (b) of this section, or for which he is performing official duty under subsection (c) of this section, the employee shall remit such amount to the officer who disburses the pay of the employee, which amount shall be covered into the general fund of the Treasury as miscellaneous receipts.

(e) Travel expenses

(1) An employee summoned (and authorized to respond to such summons by the House of the Congress disbursing his pay), or assigned by such House, to testify or produce official records on behalf of the United States is entitled to travel expenses. If the case involves an activity in connection with which he is employed, the travel expenses shall be paid from funds otherwise available for the payment of travel expenses of such House in accordance with travel regulations of that House. If the case does not involve such an activity, the department, agency, or independent establishment of the United States on whose behalf he is so testifying or producing records shall pay to the

employee his travel expenses out of appropriations otherwise available, and in accordance with regulation applicable, to that department, agency, or independent establishment for the payment of travel expenses.

(2) An employee summoned (and permitted to respond to such summons by the House of the Congress disbursing his pay), or assigned by such House, to testify in his official capacity or produce official records on behalf of a party other than the United States, is entitled to travel expenses, unless any travel expenses are paid to the employee for his appearance by the court, authority, or party which caused him to be summoned.

(f) Rules and regulations

The Committee on Rules and Administration of the Senate and the Committee on House Administration of the House of Representatives are authorized to prescribe, for employees of their respective Houses, such rules and regulations as may be necessary to carry out the provisions of this section.

(g) Congressional consent not conferred for production of official records or to testimony concerning activities related to employment

No provision of this section shall be construed to confer the consent of either House of the Congress to the production of official records of that House or to testimony by an employee of that House concerning activities related to his employment.

(Pub. L. 91-563 § 6, Dec. 19, 1970, 84 Stat. 1478; Pub. L. 94-310, § 2, June 15, 1976, 90 Stat. 687.)

AMENDMENTS

1976—Subsec. (b)(2). Pub. L. 94-310 substituted "other than as provided in subsection (c) of this section, as a witness on behalf of any party in connection with any judicial proceeding to which the United States, the District of Columbia, or a State or local government is a party" for "as a witness on behalf of a party other than the United States, the District of Columbia, or a private party".

EFFECTIVE DATE OF 1976 AMENDMENT

Section 4 of Pub. L. 94-310 provided that: "The amendments made by this Act [amending subsec. (b)(2) of this section and sections 6322(a)(2) and 8906(g) of Title 5] shall take effect on October 1, 1976, or on the date of the enactment of this Act [June 15, 1976], whichever date is later."

CROSS REFERENCES

Leave for jury or witness service to employees of agencies generally, see section 6322 of Title 5, Government Organization and Employees.

§ 130c. Waiver by Secretary of the Senate of claims of the United States arising out of erroneous payments to Vice President, Senator, or Senate employee whose pay is disbursed by the Secretary of the Senate

(a) Waiver of claim for erroneous payment of pay or allowances

A claim of the United States against a person arising out of an erroneous payment of any pay or allowances, other than travel and transportation expenses and allowances, on or after July 25, 1974, to the Vice President, a Senator, or to an officer or employee whose pay is disbursed by the Secretary of the Senate, the collection of which would be against equity and good conscience and not in the best interests of the United States, may be waived in whole or in part by the Secretary of the Senate, if the claim is not the subject of an exception made by the Comptroller General in the account of any accountable officer or official. An application for waiver shall be investigated by the Financial Clerk of the Senate who shall submit a written report of his investigation to the Secretary of the Senate. An application for waiver of a claim in an amount aggregating more than $500 shall also be investigated by the Comptroller General of the United States who shall submit a written report of his investigation to the Secretary of the Senate.

(b) Prohibition of waiver

The Secretary of the Senate may not exercise his authority under this section to waive any claim—

(1) if, in his opinion, there exists, in connection with the claim, an indication of fraud, misrepresentation, fault, or lack of good faith on the part of the Vice President, the Senator, the officer or employee, or any other person having an interest in obtaining a waiver of the claim; or

(2) if the application for waiver is received in his office after the expiration of 3 years immediately following the date on which the erroneous payment of pay or allowances was discovered.

(c) Credit for waiver

In the audit and settlement of accounts of any accountable officer or official, full credit shall be given for any amounts with respect to which collection by the United States is waived under this section.

(d) Effect of waiver

An erroneous payment, the collection of which is waived under this section, is deemed a valid payment for all purposes.

(e) Construction with other laws

This section does not affect any authority under any other law to litigate, settle, compromise, or waive any claim of the United States.

(f) Rules and regulations

The Secretary of the Senate shall promulgate rules and regulations to carry out the provisions of this section.

(Pub. L. 93-359, § 2, July 25, 1974, 88 Stat. 394.)

CROSS REFERENCES

Claims for overpayment of pay or allowances to employees of agencies generally, see section 5584 of Title 5, Government Organization and Employees.

§ 130d. Waiver by Speaker of the House of Representatives of claims of the United States arising out of erroneous payments to officers or employees whose pay is disbursed by the Clerk of the House of Representatives

(a) Waiver of claim for erroneous payment of pay or allowances

A claim of the United States against a person arising out of an erroneous payment of any pay or allowances, other than travel and transportation expenses and allowances, on or after July 25, 1974, to an officer or employee whose pay is disbursed by the Clerk of the House of Representatives, the collection of which would

be against equity and good conscience and not in the best interests of the United States, may be waived in whole or in part by the Speaker of the House, if the claim is not the subject of an exception made by the Comptroller General in the account of any accountable officer or official.

(b) Investigation and report

An application for waiver of a claim shall be investigated by the Clerk of the House of Representatives who shall submit a written report of his investigation to the Speaker of the House.

(c) Prohibition of waiver

The Speaker of the House may not exercise his authority under this section to waive any claim—

(1) if, in his opinion, there exists, in connection with the claim, an indication of fraud, misrepresentation, fault, or lack of good faith on the part of the officer or employee or any other person having an interest in obtaining a waiver of the claim; or

(2) if the application for waiver is received in his office after the expiration of 3 years immediately following the date on which the erroneous payment of pay or allowances was discovered.

(d) Credit for waiver

In the audit and settlement of the accounts of any accountable officer or official, full credit shall be given for any amounts with respect to which collection by the United States is waived under this section.

(e) Effect of waiver

An erroneous payment, the collection of which is waived under this section, is deemed a valid payment for all purposes.

(f) Construction with other laws

This section does not affect any authority under any other law to litigate, settle, compromise, or waive any claim of the United States.

(g) Rules and regulations

The Speaker of the House shall prescribe rules and regulations to carry out the provisions of this section.

(Pub. L. 93-359, § 3, July 25, 1974, 88 Stat. 395.)

CROSS REFERENCES

Claims for overpayment of pay or allowances to employees of agencies generally, see section 5584 of Title 5, Government Organization and Employees.

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(d) Short title.

§ 131. Collections composing Library; location

The Library of Congress, composed of the books, maps, and other publications which on December 1, 1873, remained in existence, from the collections theretofore united under authority of law and those added from time to time by purchase, exchange, donation, reservation from publications ordered by Congress, deposit to secure copyright, and otherwise, shall be preserved in the Library Building. The law library shall be preserved in the Capitol in the rooms which were on July 4, 1872, appropriated to its use, and in such others as may hereafter be assigned thereto.

(R.S. § 80; Feb. 19, 1897, ch. 265, § 1, 29 Stat. 545, 546.)

Amendment Effective January 1, 1978

This section is amended, effective Jan. 1, 1978, by Pub. L. 94-553, title I, § 105(g), Oct. 19, 1976, 90 Stat. 2599, by substituting "acquisition of material under the copyright law" for "deposit to secure copyright".

Prior Provisions

Act Jan. 26, 1802, ch. 2, 2 Stat. 128; Res. Oct. 21, 1814, No. 3, 3 Stat. 246; act Jan. 30, 1815, ch. 27, 3 Stat. 195; act June 25, 1864, ch. 147, § 1, 13 Stat. 148; Res. July 25, 1866, No. 77, 14 Stat. 365, and act Mar. 2, 1867, ch. 167, § 1, 14 Stat. 464.

Transfer to Library Building

Provisions for the removal of the Library to the Library Building, erected pursuant to act Apr. 15, 1886, ch. 50, 24 Stat. 12, and for the custody, care, and maintenance of that building, were made by act Feb. 19, 1897.

Organizing and Microfilming of Presidential Papers; Appropriation

Pub. L. 85-147, Aug. 16, 1957, 71 Stat. 368, as amended by Pub. L. 87-263, Sept. 21, 1961, 75 Stat. 544; Pub. L. 88-299, Apr. 27, 1964, 78 Stat. 183, provided:

"That the Librarian of Congress is authorized and directed to arrange, index and microfilm the papers of the Presidents of the United States in the collections of the Library of Congress, in order to preserve their contents against destruction by war or other calamity and for the purpose of making them more readily available for study and research to the fullest possible extent consistent with any existing limitations that may have been imposed on the use of or the access to such papers by their donors or by those placing them

on deposit with the Library of Congress. Neither the United States nor any officer or employee of the United States shall be liable for damages for infringement of literary property rights by reason of any activity authorized by this Act.

"SEC. 2. There are authorized to be appropriated such amounts as may be necessary to carry out the provisions of this Act."

§ 132. Departments of Library

The Library of Congress shall be arranged in two departments, a general library and a law library.

(R.S. § 81.)

PRIOR PROVISIONS

Act July 14, 1832, ch. 221, § 1, 4 Stat. 579.

§ 132a. Appropriations for increase of general library

The unexpended balance of any sums appropriated by Congress for the increase of the general library, together with such sums as may hereafter be appropriated to the same purpose, shall be laid out under the direction of the Joint Committee of Congress on the Library.

(R.S. § 82; Feb. 7, 1902, No. 5, 32 Stat. 735; Aug. 2, 1946, ch. 753, title II, § 223, 60 Stat. 838.)

PRIOR PROVISIONS

R.S. § 82 from acts Apr. 24, 1800, ch. 37, § 5, 2 Stat. 56, and Jan. 26, 1802, ch. 2, § 6, 2 Stat. 129.

AMENDMENTS

1946—Act Aug. 2, 1946, changed the composition of the Joint Committee which is now covered by section 132b of this title.

EFFECTIVE DATE OF 1946 AMENDMENT

Section effective Jan. 3, 1947, see section 245 of act Aug. 2, 1946, set out as a note under section 72a of this title.

CROSS REFERENCES

Librarian of Congress to make rules and regulations for government of library, see section 136 of this title.

§ 132b. Joint Committee on the Library

The Joint Committee of Congress on the Library shall, on and after January 3, 1947, consist of the chairman and four members of the Committee on Rules and Administration of the Senate and the chairman and four members of the Committee on House Administration of the House of Representatives.

(Aug. 2, 1946, ch. 753, title II, § 223, 60 Stat. 838.)

EFFECTIVE DATE

Section effective Jan. 3, 1947, see section 245 of act Aug. 2, 1946, set out as a note under section 72a of this title.

§ 133. Joint Committee during recess of Congress

The portion of the Joint Committee of Congress on the Library on the part of the Senate remaining in office as Senators shall during the recess of Congress exercise the powers and discharge the duties conferred by law upon the Joint Committee of Congress on the Library.

(Mar. 3, 1883, ch. 141, § 2, 22 Stat. 592; Aug. 2, 1946, ch. 753, title II, § 223, 60 Stat. 838.)

AMENDMENTS

1946—Act Aug. 2, 1946, changed the composition of the Joint Committee which is now covered by section 132b of this title.

§ 134. Incidental expenses of law library

The incidental expenses of the law library shall be paid out of the appropriations for the Library of Congress.

(R.S. § 83.)

PRIOR PROVISIONS

Act July 14, 1832, ch. 221, § 3, 4 Stat. 579.

§ 135. Purchase of books for law library

The Librarian shall make the purchases of books for the law library, under the direction of and pursuant to the catalogue furnished him by the Chief Justice of the Supreme Court.

(R.S. § 84.)

PRIOR PROVISIONS

Act July 14, 1832, ch. 221, § 4, 4 Stat. 579.

§ 135a. Books and sound-reproduction records for blind and other physically handicapped residents; annual appropriations; purchases

There is authorized to be appropriated annually to the Library of Congress, in addition to appropriations otherwise made to said Library, such sums for expenditure under the direction of the Librarian of Congress as may be necessary to provide books published either in raised characters, or sound-reproduction recordings or in any other form, and for purchase, maintenance, and replacement of reproducers for such sound-reproduction recordings, for the use of the blind and for other physically handicapped residents of the United States, including the several States, Territories, insular possessions, and the District of Columbia, all of which books, recordings, and reproducers will remain the property of the Library of Congress but will be loaned to blind and to other physically handicapped readers certified by competent authority as unable to read normal printed material as a result of physical limitations, under regulations prescribed by the Librarian of Congress for this service. In the purchase of books in either raised characters or in sound-reproduction recordings the Librarian of Congress, without reference to the provisions of section 5 of title 41, shall give preference to nonprofit-making institutions or agencies whose activities are primarily concerned with the blind and with other physically handicapped persons, in all cases where the prices or bids submitted by such institutions or agencies are, by said Librarian, under all the circumstances and needs involved, determined to be fair and reasonable.

(Mar. 3, 1931, ch. 400, § 1, 46 Stat. 1487; Mar. 4, 1933, ch. 279, 47 Stat. 1570; June 14, 1935, ch. 242, § 1, 49 Stat. 374; Apr. 23, 1937, ch. 125, § 1, 50 Stat. 72; June 7, 1939, ch. 191, 53 Stat. 812; June 6, 1940, ch. 255, 54 Stat. 245; Oct. 1, 1942, ch. 575, § 1, 56 Stat. 764; June 13, 1944, ch. 246, § 1, 58 Stat. 276; Aug. 8, 1946, ch. 868, § 1, 60 Stat. 908; July 3, 1952, ch. 566, 66 Stat. 326; Sept. 7, 1957, Pub. L. 85-308, § 1, 71 Stat. 630; July 30, 1966, Pub. L. 89-522, § 1, 80 Stat. 330.)

AMENDMENTS

1966—Pub. L. 89-522 extended the availability of the books and materials under this section by authorizing their loan to other physically handicapped residents, in addition to blind persons, certified by competent authority as unable to read normal printed material as a result of physical limitations.

1957—Pub. L. 85-308 authorized annual appropriation of necessary sums in lieu of provisions which limited annual appropriation to $1,125,000, and eliminated limitation of $200,000 on amount of appropriated funds to be expended annually for books in raised characters.

1952—Act July 3, 1952, included children within its provisions as well as adults.

1946—Act Aug. 8, 1946, increased the annual appropriation from $500,000 to $1,125,000.

1944—Act June 13, 1944, increased the annual appropriation from $370,000 to $500,000, the amount allocated to sound-reproduction records from $250,000 to $400,000, and omitted the provision allocating $20,000 to the maintenance and replacement of Government-owned reproducers.

1942—Act Oct. 1, 1942, substituted "$370,000" for "$350,000", and added clause at end of first sentence relating to expenditure of not exceeding $20,000 for maintenance and replacement of reproducers for sound-reproduction records.

1940—Act June 6, 1940, substituted figures "$350,000" for "$275,000" and "$250,000" for "$175,000".

1939—Act June 7, 1939 added last sentence.

1937—Act Apr. 23, 1937, substituted "$275,000" for "$175,000" in two instances and "$175,000" for "$75,000".

1935—Act June 14, 1935, substituted "$175,000" for "$100,000" and added provision that $100,000 of the $175,000 annual appropriation be expended for books in raised characters and the balance for sound-reproduction records.

1933—Act Mar. 4, 1933, inserted "published either in raised characters, on sound-reproduction records, or in any other form".

EFFECTIVE DATE OF 1957 AMENDMENT

Section 2 of Pub. L. 85-308 provided that: "This Act [this section] shall be applicable with respect to the fiscal year ending June 30, 1958, and for each fiscal year thereafter."

EFFECTIVE DATE OF 1946 AMENDMENT

Section 2 of act Aug. 8, 1946, provided: "This Act [this section] shall be applicable with respect to the fiscal year ending June 30, 1947, and for each fiscal year thereafter."

EFFECTIVE DATE OF 1944 AMENDMENT

Section 2 of act June 13, 1944, provided: "This Act [this section] shall be applicable with respect to the fiscal year ending June 30, 1945, and for each fiscal year thereafter."

EFFECTIVE DATE OF 1942 AMENDMENT

Section 2 of act Oct. 1, 1942, provided: "This Act [this section] shall be applicable with respect to the fiscal year ending June 30, 1943, and for each fiscal year thereafter."

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 135b of this title; title 39 section 3403.

§ 135a-1. Library of musical scores, instructional texts, and other specialized materials for use of blind persons or other physically handicapped residents; authorization of appropriations

(a) The Librarian of Congress shall establish and maintain a library of musical scores, instructional texts, and other specialized materials for the use of the blind and for other physically handicapped residents of the United States and its possessions in furthering their educational, vocational, and cultural opportunities in the field of music. Such scores, texts, and materials shall be made available on a loan basis under regulations developed by the Librarian or his designee in consultation with persons, organizations, and agencies engaged in work for the blind and for other physically handicapped persons.

(b) There are authorized to be appropriated such amounts as may be necessary to carry out the provisions of this section.

(Pub. L. 87-765, Oct. 9, 1962, 76 Stat. 763; Pub. L. 89-522, § 2, July 30, 1966, 80 Stat. 331.)

AMENDMENTS

1966—Pub. L. 89-522 made the library of musical scores and materials available to other physically handicapped residents of the United States and added persons, organizations, and agencies engaged in work for physically handicapped persons to the groups with which the Librarian shall consult in making the materials available on a loan basis.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 135b of this title.

§ 135b. Local and regional centers; preference to blind and other physically handicapped veterans; rules and regulations; authorization of appropriations

(a) The Librarian of Congress may contract or otherwise arrange with such public or other nonprofit libraries, agencies, or organizations as he may deem appropriate to serve as local or regional centers for the circulation of (1) books, recordings, and reproducers referred to in section 135a of this title, and (2) musical scores, instructional texts, and other specialized materials referred to in section 135a-1 of this title, under such conditions and regulations as he may prescribe. In the lending of such books, recordings, reproducers, musical scores, instructional texts, and other specialized materials, preference shall at all times be given to the needs of the blind and of the other physically handicapped persons who have been honorably discharged from the Armed Forces of the United States.

(b) There are authorized to be appropriated such sums as may be necessary to carry out the purposes of this section.

(Mar. 3, 1931, ch. 400, § 2, 46 Stat. 1487; July 30, 1966, Pub. L. 89-522, § 1, 80 Stat. 330.)

AMENDMENTS

1966—Pub. L. 89-522 extended the Librarian's authority to arrange for local and regional centers by authorizing him to contract with public or other nonprofit libraries, agencies, or organizations, extended the field to include recordings, reproducers, musical scores, instructional texts, and other materials, substituted "Armed Forces of the United States" for "United States military or naval service", and extended the veteran preference to include other physically handicapped individuals in addition to blind persons.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in title 39 section 3403.

§ 136. Librarian of Congress; appointment; rules and regulations

The Librarian of Congress shall be appointed by the President, by and with the advice and consent of the Senate. He shall make rules and regulations for the government of the Library.

(Feb. 19, 1897, ch. 265, § 1, 29 Stat. 544, 546; June 6, 1972, Pub. L. 92-310, title II, § 220(f), 86 Stat. 204.)

Prior Provisions

R.S. §§ 88, 89, 4950.

Amendments

1972—Pub. L. 92-310 eliminated provisions which required the Librarian of Congress to give a bond in the sum of $20,000.

§ 136a. Librarian of Congress; compensation

The compensation of the Librarian of Congress shall be at an annual rate which is equal to the rate for positions at level IV of the Executive Schedule.

(Pub. L. 88-426, title II, § 203(c), Aug. 14, 1964, 78 Stat. 415; Pub. L. 90-206, title II, §§ 219(2), 225(h), Dec. 16, 1967, 81 Stat. 639, 644; Pub. L. 94-82, title II, § 204(b), Aug. 9, 1975, 89 Stat. 421.)

Codification

Prior section 136a, acts Mar. 6, 1928, ch. 134, 45 Stat. 197; Oct. 15, 1949, ch. 695, § 5(a), 63 Stat. 890, which contained similar provisions to this section, was repealed by Pub. L. 89-554, § 8(a), Sept. 6, 1966, 80 Stat. 647, 655.

References in Text

Level IV of the Executive Schedule, referred to in text, is set out in section 5315 of Title 5, Government Organization and Employees.

Amendments

1975—Pub. L. 94-82 substituted provision for compensation of the Librarian of Congress at an annual rate equal to the rate for positions at level IV of the Executive Schedule, for provision for compensation at the rate of $38,000 per annum.

1969—Salary of the Librarian of Congress increased from $28,750 to $38,000 per annum, commencing the first day of the pay period which begins after February 14, 1969, upon recommendation of the President of the United States pursuant to section 225(h) of Pub. L. 90-206. See note set out under section 358 of this title.

1967—Pub. L. 90-206, § 219(2), substituted "$28,750" for "$27,000".

Effective Date of 1967 Amendment

Amendment by Pub. L. 90-206 effective at the beginning of the first pay period which begins on or after Dec. 16, 1967, see section 220(a) (3) of Pub. L. 90-206, set out as a note under section 603 of Title 28, Judiciary and Judicial Procedure.

Effective Date

Section effective on the first day of the first pay period which begins on or after July 1, 1964, except to the extent provided in section 501(c) of Pub. L. 88-426, see section 501 of Pub. L. 88-426.

1977 Increase in Salary

Salary of the Librarian of Congress increased to $50,000 per annum, upon recommendation of the President of the United States, see note set out under section 358 of this title.

§ 136a-1. Deputy Librarian of Congress; compensation

The compensation of the Deputy Librarian of Congress shall be at an annual rate which is equal to the rate for positions at level V of the Executive Schedule.

(Pub. L. 88-426, title II, § 203(d), Aug. 14, 1964, 78 Stat. 415; Pub. L. 90-206, title II §§ 219(3), 225(h), Dec. 16, 1967, 81 Stat. 639, 644; Pub. L. 94-82, title II, § 204 (b), Aug. 9, 1975, 89 Stat. 421.)

References in Text

Level V of the Executive Schedule, referred to in text, is set out in section 5316 of Title 5, Government Organization and Employees.

Amendments

1975—Pub. L. 94-82 substituted provision setting the compensation of the Deputy Librarian of Congress at an annual rate equal to the rate for positions at level V of the Executive Schedule, for provision setting such compensation at the rate of $36,000 per annum.

1969—Salary of the Deputy Librarian of Congress increased from $27,500 to $36,000 per annum, commencing the first day of the pay period which begins after February 14, 1959, upon recommendation of the President of the United States pursuant to section 225(h) of Pub. L. 90-206. See note set out under section 358 of this title.

1967—Pub. L. 90-206, § 219(3), substituted "$27,500" for "$25,500".

Effective Date of 1967 Amendment

Amendment by Pub. L. 90-206 effective at the beginning of the first pay period which begins on or after Dec. 16, 1967, see section 220(a) (3) of Pub. L. 90-206, set out as a note under section 603 of Title 28, Judiciary and Judicial Procedure.

Effective Date

Section effective on the first day of the first pay period which begins on or after July 1, 1964, except to the extent provided in section 501(c) of Pub. L. 88-426, see section 501 of Pub. L. 88-426.

1977 Increase in Salary

Salary of the Deputy Librarian of Congress increased to $47,500 per annum, upon recommendation of the President of the United States, see note set out under section 358 of this title.

§ 136b. Omitted

Codification

Section, act July 17, 1947, ch. 262, § 101, 61 Stat. 372, which related to maximum salary for any position in the Library, has been omitted from the Code as superseded by section 162a of this title.

§ 137. Use and regulation of law library

The justices of the Supreme Court shall have free access to the law library; and they are authorized to make regulations, not inconsistent with law, for the use of the same during the sittings of the court. But such regulations shall not restrict any person authorized to take books from the Library from having access to the law library, or using the books therein in the same manner as he may be entitled to use the books of the general Library.

(R.S. § 95.)

Prior Provisions

Act July 14, 1832, ch. 221, § 2, 4 Stat. 579.

§§ 137a, 137b. Omitted

CODIFICATION

Section 137a, R.S. § 94, which related to persons specially privileged to use the library, was omitted from the Code as superseded by the last sentence of section 136 of this title, which gives the Librarian of Congress power to make rules and regulations for government of library.

Section 137b, act Aug. 28, 1890, No. 41, 26 Stat. 678, which related to the Interstate Commerce Commission and the Chief of Army Engineering Corps, was omitted from the Code as superseded by the last sentence of section 136 of this title.

JOINT COMMITTEE REPORT

With reference to former section 137a of this title, the Joint Committee on the Library, in an official report March 3, 1897 (54th Cong., 2d Sess., Senate Report 1573) declared:

"Heretofore the Joint Committee on the Library has had authority to approve such rules and regulations as have been made by the Librarian of Congress, but the provision of law under which the Joint Committee has hitherto passed upon said rules and regulations would appear to be repealed by the more recent act (section 136 of this title) which places this power in the hands of the Librarian of Congress."

§ 137c. Withdrawal of books from Library of Congress

The chief judge and associate judges of the United States Court of Appeals for the District of Columbia and the chief judge and associate judges of the United States District Court for the District of Columbia are authorized to use and take books from the Library of Congress in the same manner and subject to the same regulations as justices of the Supreme Court of the United States.

(Joint Res. No. 9, Jan. 27, 1894, 28 Stat. 577; June 7, 1934, ch. 426, 48 Stat. 926; June 25, 1936, ch. 804, 49 Stat. 1921; June 25, 1948, ch. 646, § 32 (a), (b), 62 Stat. 991; May 24, 1949, ch. 139, § 127, 63 Stat. 107.)

CHANGE OF NAME

Act June 25, 1948, eff. Sept. 1, 1948, as amended by act May 24, 1949, substituted "United States District Court for the District of Columbia" for "District Court of the United States for the District of Columbia", "chief judge" for "chief justice" and "associate judges" for "associate justices" wherever appearing.

Act June 25, 1936, substituted "District Court of the United States for the said District" for "Supreme Court for the said District".

Act June 7, 1934, substituted "United States Court of Appeals for the District of Columbia" for "Court of Appeals of the District of Columbia".

§ 138. Law library; hours kept open

The law library shall be kept open every day so long as either House of Congress is in session.

(July 11, 1888, ch. 615, § 1, 25 Stat. 262.)

§ 139. Report of Librarian of Congress

The Librarian of Congress shall make to Congress not later than April 1, a report for the preceding fiscal year, as to the affairs of the Library of Congress, including the copyright business, and said report shall also include a detailed statement of all receipts and expenditures on account of the Library and said copyright business.

(Feb. 19, 1897, ch. 265, § 1, 29 Stat. 546; Apr. 21, 1976, Pub. L. 94-273, § 30, 90 Stat. 380.)

AMENDMENTS

1976—Pub. L. 94-273 substituted "not later than April 1" for "at the beginning of each regular session".

§ 140. Employees; fitness

All persons employed in and about said Library of Congress under the Librarian shall be appointed solely with reference to their fitness for their particular duties.

(Feb. 19, 1897, ch. 265, § 1, 29 Stat. 545; June 29, 1922, ch. 251, § 1, 42 Stat. 715.)

§ 141. Duties of Architect of the Capitol and Librarian of Congress

The Architect of the Capitol shall have charge of all structural work at the Library Building and on the grounds, including all necessary repairs, the operation, maintenance, and repair of the mechanical plant and elevators, the care and maintenance of the grounds, and the purchasing of all equipment other than office equipment. The employees required for the performance of the foregoing duties shall be appointed by the Architect of the Capitol. All other duties on June 29, 1922, required to be performed by the Superintendent of the Library Building and Grounds shall be performed under the direction of the Librarian of Congress, who shall appoint the employees necessary therefor. The Librarian of Congress shall provide for the purchase and supply of office equipment and furniture for library purposes.

(June 29, 1922, ch. 251, § 1, 42 Stat. 715; June 12, 1970, Pub. L. 91-280, 84 Stat. 309.)

AMENDMENTS

1970—Pub. L. 91-280 transferred from the Architect of the Capitol to the Librarian of Congress the authority to purchase office equipment and furniture for the Library of Congress, substituting "purchasing of all equipment other than office equipment" for "purchasing and supplying of all furniture and equipment for the building" and adding last sentence.

ADDITIONAL BUILDING FOR LIBRARY OF CONGRESS

Pub. L. 86-469, May 14, 1960, 74 Stat. 132, authorized the Architect of the Capitol, under the direction and supervision of the Joint Committee on the Library, to prepare preliminary plans and estimates of cost for an additional building for the Library of Congress.

LIBRARY OF CONGRESS THOMAS JEFFERSON BUILDING

Pub. L. 94-264, Apr. 13, 1976, 90 Stat. 329, provided: "That the building in the block bounded by East Capitol Street, Second Street Southeast, Third Street Southeast, and Pennsylvania Avenue Southeast, in the District of Columbia (commonly known as the Library of Congress Annex), shall hereafter be known and designated as the 'Library of Congress Thomas Jefferson Building.' Any reference in a law, map, regulation, document, record, or other paper of the United States to such building shall be held to be a reference to the Library of Congress Thomas Jefferson Building."

LIBRARY OF CONGRESS JAMES MADISON MEMORIAL BUILDING

Pub. L. 89-260, Oct. 19, 1965, 79 Stat. 987, as amended by Pub. L. 91-214, § 1, Mar. 16, 1970, 84 Stat. 69; Pub. L. 94-219, Feb. 27, 1976, 90 Stat. 194, provided:

"That (a) the Architect of the Capitol under the direction jointly of the House Office Building Commission, the Senate Office Building Commission, and the Joint Committee on the Library, after consultation with a committee designated by the American Institute of Architects, is authorized and directed to construct (including, but not limited to, the preparation of all necessary designs, plans, and specifications) in square 732 in the District of Columbia a third Library of Congress fireproof building, which shall be known as the Library of Congress James Madison Memorial Building. The design of such building shall include a Madison Memorial Hall and shall be in keeping with the prevailing architecture of the Federal buildings on Capitol Hill. The Madison Memorial Hall shall be developed in consultation with the James Madison Memorial Commission.

"(b) In carrying out his authority under this joint resolution, the Architect of the Capitol, under the direction jointly of the House Office Building Commission, the Senate Office Building Commission, and the Joint Committee on the Library, is authorized (1) to provide for such equipment, such connections with the Capitol Power Plant and other utilities, such access facilities over or under public streets, such changes in the present Library of Congress buildings, such changes in or additions to the present tunnels, and such other appurtenant facilities, as may be necessary, and (2) to do such landscaping as may be necessary by reason of the construction authorized by this joint resolution.

"SEC. 2. The structural and mechanical care of the building authorized by this joint resolution and the care of the surrounding grounds shall be under the Architect of the Capitol.

"SEC. 3. There is hereby authorized to be appropriated not to exceed $123,000,000 to construct the building authorized by this joint resolution (including the preparation of all necessary designs, plans, and specifications).

"There is also authorized to be appropriated not exceeding $10,000 to pay the expenses of the James Madison Memorial Commission."

PROHIBITION ON USE OF JAMES MADISON MEMORIAL BUILDING FOR GENERAL OFFICE PURPOSES

Pub. L. 91-214, § 2, Mar. 16, 1970, 84 Stat. 69, provided that: "Nothing contained in the Act of October 19, 1965 (79 Stat. 986) [set out as a note under this section], shall be construed to authorize the use of the third Library of Congress building authorized by such Act for general office building purposes."

§ 142. Omitted

CODIFICATION

The office created by this section, act June 29, 1922, ch. 251, § 1, 42 Stat. 715, was abolished by section 142a of this title.

§ 142a. Office of administrative assistant and disbursing officer in Library of Congress abolished; transfer of duties to appointee of Librarian

From and after June 10, 1928, the office of administrative assistant and disbursing officer of the Library of Congress, created by section 142 of this title, is abolished and thereafter the duties required to be performed by the administrative assistant and disbursing officer shall be performed, under the direction of the Librarian of Congress, by such persons as the Librarian may appoint for those purposes.

(May 11, 1928, ch. 521, 45 Stat. 497; June 6, 1972, Pub. L. 92-310, title II, § 220(h), 86 Stat. 205.)

REFERENCES IN TEXT

Section 142 of this title, referred to in text, was omitted from the Code. See Codification note under section 142 of this title.

AMENDMENTS

1972—Pub. L. 92-310 eliminated provisions which required the person disbursing the appropriations for the Library of Congress and the Botanic Garden to give a bond in the sum of $30,000.

TRANSFER OF FUNCTIONS

Disbursement functions of all Government agencies except the Departments of the Army, Navy, and Air Force and the Panama Canal were transferred to Division of Disbursements, Treasury Department, by Ex. Ord. No. 6166, § 4, June 10, 1933, and Ex. Ord. No. 6728, May 29, 1934.

The Division was subsequently consolidated with other agencies into the Fiscal Service in the Treasury Department by 1940 Reorg. Plan No. III, § 1 (a) (1), eff. June 30, 1940, 5 F.R. 2107, 54 Stat. 1231.

§ 142b. Certifying officers of the Library of Congress; accountability; relief by Comptroller General

On and after June 13, 1957, each officer and employee of the Library of Congress, including the Copyright Office, who has been duly authorized in writing by the Librarian of Congress to certify vouchers for payment from appropriations and funds, shall (1) be held responsible for the existence and correctness of the facts recited in the certificate or otherwise stated on the voucher or its supporting papers and for the legality of the proposed payment under the appropriation or fund involved; (2) [Repealed]; (3) be held responsible and accountable for the correctness of the computations of certified vouchers; and (4) be held accountable for and required to make good to the United States the amount of any illegal, improper, or incorrect payment resulting from any false, inaccurate, or misleading certificate made by him, as well as for any payment prohibited by law or which did not represent a legal obligation under the appropriation or fund involved: *Provided*, That the Comptroller General of the United States may, at his discretion, relieve such certifying officer or employee of liability for any payment otherwise proper whenever he finds (1) that the certification was based on official records and that such certifying officer or employee did not know, and by reasonable diligence and inquiry could not have ascertained, the actual facts, or (2) that the obligation was incurred in good faith, that the payment was not contrary to any statutory provision specifically prohibiting payments of the character involved, and the United States has received value for such payment: *Provided further*, That the Comptroller General shall relieve such certifying officer or employee of liability for an overpayment for transportation services made to any common carrier covered by section 66 of title 49, whenever he finds that the overpayment occurred solely because the administrative examination made prior to payment of the transportation bill did not include a verification of transportation rates, freight classifications, or land grant deductions.

(Pub. L. 85-53, § 1, June 13, 1957, 71 Stat. 81; Pub. L. 92-310, title II, § 220(k), June 6, 1972, 86 Stat. 205.)

AMENDMENTS

1972—Pub. L. 92-310 eliminated provisions which required officers and employees of the Library who are authorized to certify vouchers for payment to give a bond.

CROSS REFERENCES

General provisions concerning responsibilities of certifying officers, see section 82c of Title 31, Money and Finance.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 142d of this title.

§ 142c. Enforcement of liability of certifying officers of Library of Congress

The liability of these certifying officers or employees shall be enforced in the same manner and to the same extent as now provided by law with respect to enforcement of the liability of disbursing and other accountable officers; and they shall have the right to apply for and obtain a decision by the Comptroller General on any question of law involved in a payment on any vouchers presented to them for certification.

(Pub. L. 85-53, § 2, June 13, 1957, 71 Stat. 81.)

CROSS REFERENCES

General provisions concerning enforcement of liability of certifying officers, see section 82d of Title 31, Money and Finance.

§ 142d. Disbursing officer of the Library of Congress; disbursements in accordance with voucher; examination of vouchers; liability

The disbursing officer of the Library of Congress shall (1) disburse moneys of the Library of Congress only upon, and in strict accordance with, vouchers duly certified by the Librarian of Congress or by an officer or employee of the Library of Congress duly authorized in writing by the Librarian to certify such vouchers; (2) make such examination of vouchers as may be necessary to ascertain whether they are in proper form, and duly certified and approved; and (3) be held accountable accordingly: *Provided,* That the disbursing officer shall not be held accountable or responsible for any illegal, improper, or incorrect payment resulting from any false, inaccurate, or misleading certificate, the responsibility for which, under section 142b of this title, is imposed upon a certifying officer or employee of the Library of Congress.

(Pub. L. 85-53, § 3, June 13, 1957, 71 Stat. 81.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 142e of this title.

§ 142e. Disbursing Officer of the Library of Congress: disbursements for Congressional Budget Office, accountability; financial management support to Congressional Budget Office under agreement of Librarian of Congress and Director of Congressional Budget Office; Congressional Budget Office certifying officers: voucher certifications, accountability, relief by Comptroller General

The Disbursing Officer of the Library of Congress is authorized to disburse funds appropriated for the Congressional Budget Office, and the Library of Congress shall provide financial management support to the Congressional Budget Office as may be required and mutually agreed to by the Librarian of Congress and the Director of the Congressional Budget Office.

All vouchers certified for payment by duly authorized certifying officers of the Library of Congress shall be supported with a certification by an officer or employee of the Congressional Budget Office duly authorized in writing by the Director of the Congressional Budget Office to certify payments from appropriations of the Congressional Budget Office. The Congressional Budget Office certifying officers shall (1) be held responsible for the existence and correctness of the facts recited in the certificate or otherwise stated on the voucher or its supporting paper and the legality of the proposed payment under the appropriation or fund involved (2) be held responsible and accountable for the correctness of the computations of certifications made, and (3) be held accountable for and required to make good to the United States the amount of any illegal, improper, or incorrect payment resulting from any false, inaccurate, or misleading certificate made by him, as well as for any payment prohibited by law which did not represent a legal obligation under the appropriation or fund involved: *Provided,* That the Comptroller General of the United States may, at his discretion, relieve such certifying officer or employee of liability for any payment otherwise proper whenever he finds (1) that the certification was based on official records and that such certifying officer or employee did not know, and by reasonable diligence and inquiry could not have ascertained the actual facts, or (2) that the obligation was incurred in good faith, that the payment was not contrary to any statutory provision specifically prohibiting payments of the character involved, and the United States has received value for such payment: *Provided further,* That the Comptroller General shall relieve such certifying officer or employee of liability for an overpayment for transportation services made to any common carrier covered by section 66 of title 49, whenever he finds that the overpayment occurred solely because the administrative examination made prior to payment of the transportation bill did not include a verification of transportation rates, freight classifications, or land grant deduction. (Public Law 85-53, paragraph 3, June 13, 1957, 71 Stat. 81.)

The Disbursing Officer of the Library of Congress shall not be held accountable or responsible for any illegal, improper, or incorrect payment resulting from any false, inaccurate, or misleading certificate, the responsibility for which is imposed upon a certifying officer or employee of the Congressional Budget Office.

(Pub. L. 94-440, title VIII, § 808, Oct. 1, 1976, 90 Stat. 1458.)

REFERENCES IN TEXT

Public Law 85-53, paragraph 3, June 13, 1957, 71 Stat. 81, referred to at end of second par., is classified to section 142d of this title.

SIMILAR PROVISIONS

Section is from the Legislative Branch Appropriation Act, 1977, Pub. L. 94-440. Similar provisions were contained in Pub. L. 94-157, title I, ch. IV, Dec. 18, 1975, 89 Stat. 835.

§ 143. Appropriations for Library Building and Grounds

All appropriations made to the Architect of the Capitol on account of the Library Building and Grounds shall be disbursed for that purpose in the same manner as other appropriations under his control.

(June 29, 1922, ch. 251, § 3, 42 Stat. 715.)

TRANSFER OF FUNCTIONS

Disbursement functions of all Government agencies except the Departments of the Army, Navy, and Air Force and the Panama Canal were transferred to Division of Disbursements, Treasury Department, by Ex. Ord. No. 6166, § 4, June 10, 1933, and Ex. Ord. No. 6728, May 29, 1934.

The Division was subsequently consolidated with other agencies into the Fiscal Service in the Treasury Department by 1940 Reorg. Plan No. III, § 1(a)(1), eff. June 30, 1940, 5 F.R. 2107, 54 Stat. 1231.

§ 143a. Disbursement of funds

Funds available to the Library of Congress may be expended to reimburse the Department of State for medical services rendered to employees of the Library of Congress stationed abroad; for purchase or hire of passenger motor vehicles; and for payment of travel, storage and transportation of household goods, and transportation and per diem expenses for families en route (not to exceed twenty four), subject to such rules and regulations as may be issued by the Librarian of Congress.

(Pub. L. 94-440, title VIII, § 803, Oct. 1, 1976, 90 Stat. 1457.)

SIMILAR PROVISIONS

Section is from the Legislative Branch Appropriation Act, 1977, Pub. L. 94-440. Similar provisions were contained in the following prior appropriation acts:

Pub. L. 94-59, title VII, § 703, July 25, 1975, 89 Stat. 295.
Pub. L. 93-371, § 101, Aug. 13, 1974, 88 Stat. 441.
Pub. L. 93-145, § 101, Nov. 1, 1973, 87 Stat. 545.
Pub. L. 92-342, § 101, July 10, 1972, 86 Stat. 446.
Pub. L. 92-51, § 101, July 9, 1971, 85 Stat. 141.
Pub. L. 91-382, § 101, Aug. 18, 1970, 84 Stat. 823.
Pub. L. 91-145, § 101, Dec. 12, 1969, 83 Stat. 357.
Pub. L. 90-417, § 101, July 28, 1968, 82 Stat. 411.
Pub. L. 90-57, § 101, July 28, 1967, 81 Stat. 140.
Pub. L. 89-545, § 101, Aug. 27, 1966, 80 Stat. 368.

§ 144. Copies of Statutes at Large

Ten of the copies of the Statutes at Large, published by Little, Brown & Co., which were deposited in the Library prior to February 5, 1859, shall be retained by the Librarian for the use of the justices of the Supreme Court, during the terms of court.

(R.S. § 96.)

PRIOR PROVISIONS

Act Feb. 5, 1859, ch. 22, § 11, 11 Stat. 381.

§ 145. Copies of Journals and Documents

Two copies of the journals and documents, and of each book printed by either House of Congress, well bound in calf, shall be deposited in the Library, and must not be taken therefrom.

(R.S. § 97.)

PRIOR PROVISIONS

Res. Jan. 2, 1857, No. 5, § 5, 11 Stat. 253.

CROSS REFERENCES

Binding materials, generally, see section 1123 of Title 44, Public Printing and Documents.

Copies of House and Senate documents to be deposited with Library of Congress, see section 701 of Title 44.

Distribution of printed copies of Journals of Senate and House of Representatives, see section 713 of Title 44.

§ 145a. Periodical binding of printed hearings of committee testimony

The Librarian of the Library of Congress is authorized and directed to have bound at the end of each session of Congress the printed hearings of testimony taken by each committee of the Congress at the preceding session.

(Aug. 2, 1946, ch. 753, title I, § 141, 60 Stat. 834.)

§ 146. Deposit of Journals of Senate and House

Twenty-five copies of the public Journals of the Senate, and of the House of Representatives, shall be deposited in the Library of the United States, at the seat of government, to be delivered to Members of Congress during any session, and to all other persons authorized by law to use the books in the Library, upon their application to the Librarian, and giving their responsible receipts for the same, in like manner as for other books.

(R.S. § 98.)

PRIOR PROVISIONS

Res. Dec. 27, 1813, No. 1, 3 Stat. 140; Res. July 20, 1840, No. 5, 5 Stat. 409.

§ 147. Repealed. Oct. 25, 1951, ch. 562, § 1(*l*), 65 Stat. 638

Section, act June 6, 1900, ch. 791, § 1, 31 Stat. 642, related to bound volumes from files of House of Representatives, and is now covered by sections 2103 and 2114 of Title 44, Public Printing and Documents.

§ 148. Repealed. Oct. 31, 1951, ch. 654, § 1(*l*), 65 Stat. 701

Section, act Feb. 25, 1903, ch. 755, § 1, 32 Stat. 865, related to transfer of books from executive departments to Library, and is now covered by sections 471 (c) and 472 of Title 40, Public Buildings, Property, and Works.

§ 149. Transfer of books to other libraries

The Librarian of Congress may from time to time transfer to other governmental libraries within the District of Columbia, including the Public Library, books and material in the possession of the Library of Congress in his judgment no longer necessary to its uses, but in the judgment of the custodians of such other collections likely to be useful to them, and may dispose of or destroy such material as has become useless: *Provided*, That no records of the Federal Government shall be transferred, disposed of, or destroyed under the authority granted in this section.

(Mar. 4, 1909, ch. 297, § 1, 35 Stat. 858; Oct. 25, 1951, ch. 562, § 4(1), 65 Stat. 640.)

AMENDMENTS

1951—Act Oct. 25, 1951, added the proviso.

CROSS REFERENCES

Management and disposition of records, see sections 2101 et seq., 2501 et seq., 2901 et seq., 3101 et seq., and 3301 et seq. of Title 44, Public Printing and Documents.

§ 150. Sale of copies of card indexes and other publications

The Librarian of Congress is authorized to furnish to such institutions or individuals as may desire to buy them, such copies of the card indexes and other publications of the Library as may not be required for its ordinary transactions, and charge for the same a price which will cover their cost and ten per centum added, and all moneys received by him shall be deposited in the Treasury.

(June 28, 1902, ch. 1301, § 1, 32 Stat. 480.)

§ 151. Smithsonian Library

The library collected by the Smithsonian Institution under the provisions of the Act of August 10, 1846, chapter 25, and removed from the building of that institution, with the consent of the Regents thereof, to the Library of Congress, shall, while there deposited, be subject to the same regulations as the Library of Congress, except as hereinafter provided.

(R.S. § 99.)

REFERENCE IN TEXT

Act August 10, 1846, chapter 25, referred to in text, probably should be act Aug. 10, 1846, ch. 178, 9 Stat. 102, which was entitled "An Act to establish the 'Smithsonian Institution', for the increase and diffusion of knowledge among men".

PRIOR PROVISIONS

Act Apr. 5, 1866, ch. 25, § 1, 14 Stat. 13.

CROSS REFERENCES

Smithsonian Institution, see section 41 et seq. of Title 20, Education, and sections 711 and 725s of Title 31, Money and Finance.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 152 of this title.

§ 152. Care and use of Smithsonian Library

The Smithsonian Institution shall have the use of the library referred to in section 151 of this title in like manner as before its removal. All the books, maps, and charts of the Smithsonian Library shall be properly cared for and preserved in like manner as are those of the Congressional Library; from which the Smithsonian Library shall not be removed except on reimbursement by the Smithsonian Institution to the Treasury of the United States of expenses incurred in binding and in taking care of the same, or upon such terms and conditions as shall be mutually agreed upon by Congress and the Regents of the Institution.

(R.S. § 100.)

PRIOR PROVISIONS

Act Apr. 5, 1866, ch. 25, § 2, 14 Stat. 13.

§ 153. Control of library of House of Representatives

The library of the House of Representatives shall be under the control and direction of the Librarian of Congress, who shall provide all needful books of reference therefor. The librarian, two assistant librarians, and assistant in the library, shall be appointed by the Clerk of the House, with the approval of the Speaker of the House of Representatives. No removals shall be made from the said positions except for cause reported to and approved by the Committee on Rules.

(Mar. 3, 1901, ch. 830, § 1, 31 Stat. 964.)

§ 154. Library of Congress Trust Fund Board; members; quorum; seal; rules and regulations

A board is created and established, to be known as the "Library of Congress Trust Fund Board" (hereinafter referred to as the board), which shall consist of the Secretary of the Treasury, the chairman of the Joint Committee on the Library, the Librarian of Congress, and two persons appointed by the President for a term of five years each (the first appointments being for three and five years, respectively). Three members of the board shall constitute a quorum for the transaction of business, and the board shall have an official seal, which shall be judicially noticed. The board may adopt rules and regulations in regard to its procedure and the conduct of its business.

(Mar. 3, 1925, ch. 423, § 1, 43 Stat. 1107.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 160 of this title.

§ 155. Compensation and expenses of Library of Congress Trust Fund Board

No compensation shall be paid to the members of the board for their services as such members, but they shall be reimbursed for the expenses necessarily incurred by them, out of the income from the fund or funds in connection with which such expenses are incurred. The voucher of the chairman of the board shall be sufficient evidence that the expenses are properly allowable. Any expenses of the board, including the cost of its seal, not properly chargeable to the income of any trust fund held by it, shall be estimated for in the annual estimates of the librarian for the maintenance of the Library of Congress.

(Mar. 3, 1925, ch. 423, § 1, 43 Stat. 1107.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 160 of this title.

§ 156. Gifts, etc., to Library of Congress Trust Fund Board

The Board is authorized to accept, receive, hold, and administer such gifts, bequests, or devises of property for the benefit of, or in connection with, the Library, its collections, or its service, as may be approved by the Board and by the Joint Committee on the Library.

(Mar. 3, 1925, ch. 423, § 2, formerly § 1, 43 Stat. 1107, renumbered Apr. 13, 1936, ch. 213, 49 Stat. 1205.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 160 of this title.

§ 157. Funds of Library of Congress Trust Fund Board; management of

The moneys or securities composing the trust funds given or bequeathed to the board shall be receipted for by the Secretary of the Treasury, who shall invest, reinvest, or retain investments as the board may from time to time determine. The income as and when collected shall be deposited with the Treasurer of the United States, who shall enter it in a special account to the credit of the Library of Congress and subject to disbursement by the librarian for the purposes in each case specified; and the Treasurer of the United States is authorized to honor the requisitions of the librarian made in such manner and in accordance with such regulations as the Treasurer may from time to time prescribe: *Provided, however,* That the board is not authorized to engage in any business nor to exercise any voting privilege which may be incidental to securities in its hands, nor shall the board make any investments that could not lawfully be made by a trust company in the District of Columbia, except that it may make any investments directly authorized by the instrument of gift, and may retain any investments accepted by it.

(Mar. 3, 1925, ch. 423, § 2, formerly § 1, 43 Stat. 1107, renumbered Apr. 13, 1936, ch. 213, 49 Stat. 1205.)

CROSS REFERENCES

Library of Congress gift fund and trust fund, investment account, to be classified on books of Treasury as trust funds, see section 725s of Title 31, Money and Finance.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 160 of this title.

§ 158. Deposits by Library of Congress Trust Fund Board with Treasurer of United States

In the absence of any specification to the contrary, the board may deposit the principal sum, in cash, with the Treasurer of the United States as a permanent loan to the United States Treasury, and the Treasurer shall thereafter credit such deposit with interest at a rate which is the higher of the rate of 4 per centum per annum or a rate which is 0.25 percentage points less than a rate determined by the Secretary of the Treasury, taking into consideration the current average market yield on outstanding long-term marketable obligations of the United States, adjusted to the nearest one-eighth of 1 per centum, payable semi-annually, such interest, as income, being subject to disbursement by the Librarian of Congress for the purposes specified: *Provided, however,* That the total of such principal sums at any time so held by the Treasurer under this authorization shall not exceed the sum of $10,000,000.

(Mar. 3, 1925, ch. 423, § 2, formerly § 1, 43 Stat. 1107, renumbered Apr. 13, 1936, ch. 213, 49 Stat. 1205, and amended June 23, 1936, ch. 734, 49 Stat. 1894; July 3, 1962, Pub. L. 87-522, 76 Stat. 135; May 22, 1976, Pub. L. 94-289, 90 Stat. 521.)

AMENDMENTS

1976—Pub. L. 94-289 substituted "a rate which is the higher of the rate of 4 per centum per annum or a rate which is 0.25 percentage points less than a rate determined by the Secretary of the Treasury, taking into consideration the current average market yield on outstanding long-term marketable obligations of the United States, adjusted to the nearest one-eighth of 1 per centum" for "the rate of 4 per centum per annum".

1962—Pub. L. 87-522 increased the total amount of deposits which can be held by the Treasurer from $5,000,000 to $10,000,000.

1936—Act June 23, 1936, substituted "in the absence of any specification to the contrary" for "Should any gift or bequest so provide".

CROSS REFERENCES

Library of Congress gift fund and trust fund, investment account, to be classified on books of Treasury as trust funds, see section 725s of Title 31, Money and Finance.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 160 of this title.

§ 159. Perpetual succession and suits by or against Library of Congress Trust Fund Board

The board shall have perpetual succession, with all the usual powers and obligations of a trustee, including the power to sell, except as herein limited, in respect of all property, moneys, or securities which shall be conveyed, transferred, assigned, bequeathed, delivered, or paid over to it for the purposes above specified. The board may be sued in the United States District Court for the District of Columbia, which is given jurisdiction of such suits, for the purpose of enforcing the provisions of any trust accepted by it.

(Mar. 3, 1925, ch. 423, § 3, 43 Stat. 1108; Jan. 27, 1926, ch. 6, § 1, 44 Stat. 2; June 25, 1936, ch. 804, 49 Stat. 1921; June 25, 1948, ch. 646, § 32 (a), 62 Stat. 991; May 24, 1949, ch. 139, § 127, 63 Stat. 107.)

AMENDMENTS

1926—Act Jan. 27, 1926, inserted "including the power to sell" in sentence beginning "The board shall have".

CHANGE OF NAME

Act June 25, 1948, eff. Sept. 1, 1948, as amended by Act May 24, 1949, substituted "United States District Court for the District of Columbia" for "district court of the United States for the District of Columbia".

Act June 25, 1936, provided that the Supreme Court of the District of Columbia is to be known as the District Court of the United States for the District of Columbia.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 160 of this title.

§ 160. Disbursement of gifts, etc., to Library

Nothing in sections 154 to 162 and 163 of this title shall be construed as prohibiting or restricting the Librarian of Congress from accepting in the name of the United States gifts or bequests of money for immediate disbursement in the interest of the Library, its collections, or its service. Such gifts or bequests, after acceptance by the librarian, shall be paid by the donor or his representative to the Treasurer of the United States, whose receipts shall be their ac-

quittance. The Treasurer of the United States shall enter them in a special account to the credit of the Library of Congress and subject to disbursement by the librarian for the purposes in each case specified.

(Mar. 3, 1925, ch. 423, § 4, 43 Stat. 1108.)

§ 161. Tax exemption of gifts, etc., to Library of Congress

Gifts or bequests or devises to or for the benefit of the Library of Congress, including those to the board, and the income therefrom, shall be exempt from all Federal taxes, including all taxes levied by the District of Columbia.

(Mar. 3, 1925, ch. 423, § 5, 43 Stat. 1108; Oct. 2, 1942, ch. 576, 56 Stat. 765.)

AMENDMENTS

1942—Act Oct. 2, 1942, included devises in the exemptions, and exempted gifts, bequests and devises, and the income therefrom, from taxes levied by the District of Columbia.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 160 of this title; title 26 section 2055.

§ 162. Compensation of Library of Congress employees

Employees of the Library of Congress who perform special functions for the performance of which funds have been entrusted to the board or the librarian, or in connection with cooperative undertakings in which the Library of Congress is engaged, shall not be subject to section 66 of title 5; and section 5533 of title 5 shall not apply to any additional compensation so paid to such employees.

(Mar. 3, 1925, ch. 423, § 6, 43 Stat. 1108; Jan. 27, 1926, ch. 6, § 2, 44 Stat. 2; Aug. 19, 1964, Pub. L. 88-448, title IV, § 401(j), 78 Stat. 491.)

REFERENCES IN TEXT

Section 66 of title 5, referred to in the text, was repealed by act June 25, 1948, ch. 645, § 21, 62 Stat. 864, and is now covered by section 209 of Title 18, Crimes and Criminal Procedure.

CODIFICATION

"Section 5533 of title 5" was substituted for "section 301 of the Dual Compensation Act [5 U.S.C. 3105]" on authority of sec. 7(b) of Pub. L. 89-554, Sept. 6, 1966, 80 Stat. 631, the first section of which enacted Title 5, Government Organization and Employees.

AMENDMENTS

1964—Pub. L. 88-448 substituted "and section 301 of the Dual Compensation Act [5 U.S.C. 3105] shall not apply to any additional compensation so paid to such employees" for "nor shall any additional compensation so paid to such employees be construed as a double salary under the provisions of section 6 of the Act making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1917, as amended (Thirty-ninth Statutes at Large, page 582) [5 U.S.C. 58]".

1926—Act Jan. 27, 1926, deleted the comma following the word "undertakings".

EFFECTIVE DATE OF 1964 AMENDMENT

Amendment by Pub. L. 88-448 effective on the first day of the first month which begins later than the ninetieth day following Aug. 19, 1964, see section 403 of Pub. L. 88-448.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 160, 162a of this title; title 5 section 5533.

§ 162a. Gross salary of Library of Congress employees

Hereafter the gross salary of any position in the Library which is augmented by payment of an honorarium from other than appropriated funds under terms of section 162 of this title shall not exceed an amount, which when combined with such honorarium, will exceed the maximum salary provided in chapter 51 and subchapter III of chapter 53 of title 5.

(June 22, 1949, ch. 235, § 101, 63 Stat. 226; Oct. 28, 1949, ch. 782, title XI, § 1106(a), 63 Stat. 972.)

CODIFICATION

"Chapter 51 and subchapter III of chapter 53 of title 5" was substituted for "the Classification Act of 1949" on authority of section 7(b) of Pub. L. 89-554, Sept. 6, 1966, 80 Stat. 631, section 1 of which enacted Title 5, Government Organization and Employees.

AMENDMENTS

1949—Act Oct. 28, 1949, substituted "Classification Act of 1949" for "Classification Act of 1923".

REPEALS

Act Oct. 28, 1949, ch. 782, title XI, § 1106(a), 63 Stat. 972, set out in the credit of this section, was repealed (subject to a savings clause) by Pub. L. 89-554, Sept. 6, 1966, § 8, 80 Stat. 632, 655.

§ 163. Report to Congress by Board

The board shall submit to the Congress an annual report of the moneys or securities received and held by it and of its operations.

(Mar. 3, 1925, ch. 423, § 7, 43 Stat. 1108.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 160 of this title.

§ 164. Index and digest of State legislation; preparation

The Librarian of Congress is authorized and directed to prepare biennially an index to the legislation of the States of the United States enacted during the biennium, together with a supplemental digest of the more important legislation of the period.

(Feb. 10, 1927, ch. 99, § 1, 44 Stat. 1066; Feb. 28, 1929, ch. 367, § 1, 45 Stat. 1398.)

AMENDMENTS

1929—Act Feb. 28, 1929, repealed provision that the Librarian of Congress report biennially to Congress an index and digest of state legislation.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 164a, 165 of this title.

§ 164a. Official distribution of State legislation index and digest

The Librarian of Congress is directed to have the indexes and digests authorized by section 164 of this title printed and bound for official distribution only.

(Feb. 28, 1929, ch. 367, § 1, 45 Stat. 1398.)

§ 165. Authorization for appropriation for biennial index

There is authorized to be appropriated annually for carrying out the provisions of section 164 of this title the sum of $30,000, to remain available until expended.

(Feb. 10, 1927, ch. 99, § 2, 44 Stat. 1066.)

§ 166. Congressional Research Service

(a) Redesignation of Legislative Reference Service

The Legislative Reference Service in the Library of Congress is hereby continued as a separate department in the Library of Congress and is redesignated the "Congressional Research Service".

(b) Functions and objectives

It is the policy of Congress that—

(1) the Librarian of Congress shall, in every possible way, encourage, assist, and promote the Congressional Research Service in—

(A) rendering to Congress the most effective and efficient service,

(B) responding most expeditiously, effectively, and efficiently to the special needs of Congress, and

(C) discharging its responsibilities to Congress;

and

(2) the Librarian of Congress shall grant and accord to the Congressional Research Service complete research independence and the maximum practicable administrative independence consistent with these objectives.

(c) Appointment and compensation of Director, Deputy Director, and other necessary personnel; minimum grade for Senior Specialists; placement in grades GS-16, 17, and 18 of Specialists and Senior Specialists; appointment without regard to civil service laws and political affiliation and on basis of fitness to perform duties

(1) After consultation with the Joint Committee on the Library, the Librarian of Congress shall appoint the Director of the Congressional Research Service. The basic pay of the Director shall be at a per annum rate equal to the rate of basic pay provided for level V of the Executive Schedule contained in section 5316 of title 5.

(2) The Librarian of Congress, upon the recommendation of the Director, shall appoint a Deputy Director of the Congressional Research Service and all other necessary personnel thereof. The basic pay of the Deputy Director shall be fixed in accordance with chapter 51 (relating to classification) and subchapter III (relating to General Schedule pay rates) of chapter 53 of title 5, but without regard to section 5108(a) of such title. The basic pay of all other necessary personnel of the Congressional Research Service shall be fixed in accordance with chapter 51 (relating to classification) and subchapter III (relating to General Schedule pay rates) of chapter 53 of title 5, except that—

(A) the grade of Senior Specialist in each field within the purview of subsection (e) of this section shall not be less than the highest grade in the executive branch of the Government to which research analysts and consultants, without supervisory responsibility, are currently assigned; and

(B) the positions of Specialist and Senior Specialist in the Congressional Research Service may be placed in GS-16, 17, and 18 of the General Schedule of section 5332 of title 5, without regard to section 5108(a) of such title, subject to the prior approval of the Joint Committee on the Library, of the placement of each such position in any of such grades.

(3) Each appointment made under paragraphs (1) and (2) of this subsection and subsection (e) of this section shall be without regard to the civil service laws, without regard to political affiliation, and solely on the basis of fitness to perform the duties of the position.

(d) Duties of Service; assistance to congressional committees; list of terminating programs and subjects for analysis; legislative data, studies, etc.; information research; digest of bills, preparation; legislation, purpose and effect, and preparation of memoranda; information and research capability, development

It shall be the duty of the Congressional Research Service, without partisan bias—

(1) upon request, to advise and assist any committee of the Senate or House of Representatives and any joint committee of Congress in the analysis, appraisal, and evaluation of legislative proposals within that committee's jurisdiction, or of recommendations submitted to Congress, by the President or any executive agency, so as to assist the committee in—

(A) determining the advisability of enacting such proposals;

(B) estimating the probable results of such proposals and alternatives thereto; and

(C) evaluating alternative methods for accomplishing those results;

and, by providing such other research and analytical services as the committee considers appropriate for these purposes, otherwise to assist in furnishing a basis for the proper evaluation and determination of legislative proposals and recommendations generally; and in the performance of this duty the Service shall have authority, when so authorized by a committee and acting as the agent of that committee, to request of any department or agency of the United States the production of such books, records, correspondence, memoranda, papers, and documents as the Service considers necessary, and such department or agency of the United States shall comply with such request; and further, in the performance of this and any other relevant duty, the Service shall maintain continuous liaison with all committees;

(2) to make available to each committee of the Senate and House of Representatives and each joint committee of the two Houses, at the opening of a new Congress, a list of programs and activities being carried out under existing law scheduled to terminate during the current Congress, which are within the jurisdiction of the committee;

(3) to make available to each committee of the Senate and House of Representatives and each joint committee of the two Houses, at the opening of a new Congress, a list of sub-

jects and policy areas which the committee might profitably analyze in depth;

(4) upon request, or upon its own initiative in anticipation of requests, to collect, classify, and analyze in the form of studies, reports, compilations, digests, bulletins, indexes, translations, and otherwise, data having a bearing on legislation, and to make such data available and serviceable to committees and Members of the Senate and House of Representatives and joint committees of Congress;

(5) upon request, or upon its own initiative in anticipation of requests, to prepare and provide information, research, and reference materials and services to committees and Members of the Senate and House of Representatives and joint committees of Congress to assist them in their legislative and representative functions;

(6) to prepare summaries and digests of bills and resolutions of a public general nature introduced in the Senate or House of Representatives;

(7) upon request made by any committee or Member of the Congress, to prepare and transmit to such committee or Member a concise memorandum with respect to one or more legislative measures upon which hearings by any committee of the Congress have been announced, which memorandum shall contain a statement of the purpose and effect of each such measure, a description of other revelant measures of similar purpose or effect previously introduced in the Congress, and a recitation of all action taken theretofore by or within the Congress with respect to each such other measure; and

(8) to develop and maintain an information and research capability, to include Senior Specialists, Specialists, other employees, and consultants, as necessary, to perform the functions provided for in this subsection.

(e) Specialists and Senior Specialists; appointment; fields of appointment

The Librarian of Congress is authorized to appoint in the Congressional Research Service, upon the recommendation of the Director, Specialists and Senior Specialists in the following broad fields:

(1) agriculture;
(2) American government and public administration;
(3) American public law;
(4) conservation;
(5) education;
(6) engineering and public works;
(7) housing;
(8) industrial organization and corporation finance;
(9) international affairs;
(10) international trade and economic geography;
(11) labor and employment;
(12) mineral economics;
(13) money and banking;
(14) national defense;
(15) price economics;
(16) science;
(17) social welfare;
(18) taxation and fiscal policy;
(19) technology;
(20) transportation and communications;
(21) urban affairs;
(22) veterans' affairs; and
(23) such other broad fields as the Director may consider appropriate.

Such Specialists and Senior Specialists, together with such other employees of the Congressional Research Service as may be necessary, shall be available for special work with the committees and Members of the Senate and House of Representatives and the joint committees of Congress for any of the purposes of subsection (d) of this section.

(f) Duties of Director; establishment and change of research and reference divisions or other organizational units, or both

The Director is authorized—

(1) to classify, organize, arrange, group, and divide, from time to time, as he considers advisable, the requests for advice, assistance, and other services submitted to the Congressional Research Service by committees and Members of the Senate and House of Representatives and joint committees of Congress, into such classes and categories as he considers necessary to—

(A) expedite and facilitate the handling of the individual requests submitted by Members of the Senate and House of Representatives.

(B) promote efficiency in the performance of services for committees of the Senate and House of Representatives and joint committees of Congress, and

(C) provide a basis for the efficient performance by the Congressional Research Service of its legislative research and related functions generally,

and

(2) to establish and change, from time to time, as he considers advisable, within the Congressional Research Service, such research and reference divisions or other organizational units, or both, as he considers necessary to accomplish the purposes of this section.

(g) Budget estimates

In order to facilitate the study, consideration, evaluation, and determination by the Congress of the budget requirements of the Congressional Research Service for each fiscal year, the Librarian of Congress shall receive from the Director and submit, for inclusion in the Budget of the United States Government, the budget estimates of the Congressional Research Service which shall be prepared separately by the Director in detail for each fiscal year as a separate item of the budget estimates of the Library of Congress for such fiscal year.

(h) Experts or consultants, individual or organizational, and persons and organizations with specialized knowledge; procurement of temporary or intermittent assistance; contracts, nonpersonal and personal service; advertisement requirements inapplicable; end product; pay; traveltime

(1) The Director of the Congressional Research Service may procure the temporary or intermittent assistance of individual experts or consultants (including stenographic reporters) and of persons learned in particular or specialized fields of knowledge—

(A) by nonpersonal service contract, without regard to any provision of law requiring advertising for contract bids, with the individual expert, consultant, or other person concerned, as an independent contractor, for the furnishing by him to the Congressional Research Service of a written study, treatise, theme, discourse, dissertation, thesis, summary, advisory opinion, or other end product; or

(B) by employment (for a period of not more than one year) in the Congressional Research Service of the individual expert, consultant, or other person concerned, by personal service contract or otherwise, without regard to the position classification laws, at a rate of pay not in excess of the per diem equivalent of the highest rate of basic pay then currently in effect for the General Schedule of section 5332 of title 5, including payment of such rate for necessary travel time.

(2) The Director of the Congressional Research Service may procure by contract, without regard to any provision of law requiring advertising for contract bids, the temporary (for respective periods not in excess of one year) or intermittent assistance of educational, research, or other organizations of experts and consultants (including stenographic reporters) and of educational, research, and other organizations of persons learned in particular or specialized fields of knowledge.

(i) Special report to Joint Committee on the Library

The Director of the Congressional Research Service shall prepare and file with the Joint Committee on the Library at the beginning of each regular session of Congress a separate and special report covering, in summary and in detail, all phases of activity of the Congressional Research Service for the immediately preceding fiscal year.

(j) Authorization of appropriations

There are hereby authorized to be appropriated to the Congressional Research Service each fiscal year such sums as may be necessary to carry on the work of the Service.

(Aug. 2, 1946, ch. 753, title II, § 203(a), (b), 60 Stat. 836; Oct. 28, 1949, ch. 782, title XI, § 1106(a), 63 Stat. 972; Oct. 26, 1970, Pub. L. 91-510, title III, § 321(a), 84 Stat. 1181.)

REFERENCES IN TEXT

The civil service laws, referred to in subsec. (c)(3), are set forth in Title 5, Government Organization and Employees. See, particularly, section 3301 et seq. of that title.

AMENDMENTS

1970—Subsec. (a). Pub. L. 91-510 substituted provision for continuation of Legislative Reference Service, redesignated "Congressional Research Service", for prior authorization for establishment of Legislative Reference Service and deleted second sentence, cls. (1) to (3), prescribing as duties of such Service for the Congress and its committees, the giving of advice and assistance, making data available, and preparing summaries and digests of public hearings before committees and of bills and resolutions of public nature, now incorporated in subsec. (d)(1), (d)(4), and (d)(6), respectively, of this section.

Subsec. (b). Pub. L. 91-510 added subsec. (b). Former subsec. (b) (1) provided for appointment of director, assistant director, and other necessary personnel of Legislative Reference Service, without regard to civil-service laws, without reference to political affiliations, on ground of fitness to perform duties of the office, for compensation in accordance with Classification Act of 1949, with a prescribed minimum for senior specialists in the various fields, and made all employees of the Service subject to civil-service retirement laws, now incorporated in subsec. (c) (1), (2) (A), and (3) of this section and sections 8331 (1) (viii) and 8347(j) of Title 5, Government Organization and Employees. Former subsec. (b) (2) provided for appointment of senior specialists in certain enumerated fields and is now covered in subsec. (e) of this section.

Subsec. (c). Pub. L. 91-510 incorporated in provisions added as subsec. (c) provisions of former subsec. (b) (1), and in revising them, provided in par. (1) for consultation with Joint Committee on the Library before appointment of Director and for basic pay rate of Director equal to level V of Executive Schedule, provided in par. (2) for appointment, upon recommendation of the Director, of a Deputy Director and made references to classification and General Schedule pay rate provisions of revised Title 5, reenacted as subpar. (A) proviso of second sentence of former subsec. (b) (1), and added subpar. (B), and in par. (3) reenacted part of first sentence of former subsec. (b) (1).

Subsec. (d). Pub. L. 91-510 incorporated in provisions added as subsec. (d) second sentence, cls. (1) to (3), of former subsec. (a), and in revising the provision, added pars. (2), (3), (5), (7), and (8), substituted "Congressional Research Service" for "Legislative Reference Service", reenacted introductory "without partisan bias" provision of former cl. (2), incorporated in par. (1) former cl. (1), substituting "proposals within that committee's jurisdiction" for "proposals pending before it" and "otherwise to assist in furnishing a basis for the proper evaluation and determination of legislative proposals and recommendations generally" for "otherwise to assist in furnishing a basis for the proper determination of measures before the committee", added subpars. (A) to (C), provision for assistance by providing other research and analytical services, authorization for production of books, records, etc., compliance with request for such production, and maintenance of liaison with all committees, incorporated in par. (4) former cl. (2), substituting "collect" for "gather" and including analysis in form of studies and reports, and making data available to joint committees, and incorporated in par. (6) former cl. (3), omitting provision respecting summaries and digests of public hearings before committees of Congress.

Subsec. (e). Pub. L. 91-510 incorporated in provisions added as subsec. (e) provisions of former subsec. (b) (2), and in revising them, in introductory text, substituted "Congressional Research Service" for "Legislative Reference Service" and authorized appointments "upon the recommendation of the Director", including Specialists; provided numerical item designations for broad fields listed in prior paragraph in run-on form, added fields of national defense, science, technology, urban affairs, and other broad fields as deemed appropriate by the Director in items (14), (16), (19), (21), and (23), and combined separate fields of "full employment" and "labor" in "labor and employment" in item (11); and in last sentence, included Senior Specialists and substituted "such other employees of the Congressional Research Service" for "such other members of the staff" and "special work with the committees and Members of the Senate and House of Representatives and the joint committees of Congress for any of the purposes of subsection (d) of this section" for "special work with the appropriate committees of Congress for any of the purposes set out in subsection (a) (1) of this section".

Subsecs. (f) to (i). Pub. L. 91-510 added subsecs. (f) to (i).

Subsec. (j). Pub. L. 91-510 incorporated in provisions added as subsec. (j) appropriations authorization of section 203(c) of Act Aug. 2, 1946, which had also pro-

vided $550,000, $650,000, and $750,000, for fiscal years ending June 30, 1947, 1948, and 1949, respectively.

1949—Subsec. (b)(1). Act Oct. 28, 1949, substituted "Classification Act of 1949" for "Classification Act of 1923".

EFFECTIVE DATE OF 1970 AMENDMENT

Amendment of provisions, other than enactment of subsecs. (d)(2), (3) and (i) of this section, and enactment of subsecs. (d)(2), (3) and (i) by Pub. L. 91-510 effective immediately prior to noon on Jan. 3, 1971, at the close of the first session of the Ninety-second Congress, and with respect to fiscal years beginning on or after July 1, 1970, respectively, see section 601(1), (3), and (4) of Pub. L. 91-510, set out as a note under section 72a of this title.

EFFECTIVE DATE

Section effective Aug. 2, 1946, see section 245 of act Aug. 2, 1946, set out as a note under section 72a of this title.

REPEALS

Act Oct. 28, 1949, ch. 782, title XI, § 1106(a), 63 Stat. 972, set out in the credit of this section, was repealed (subject to a savings clause) by Pub. L. 89-554, Sept. 6, 1966, § 8, 80 Stat. 632, 655.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in title 5 section 5108.

§ 167. Buildings and grounds; designation of employees as special policemen

(a) The Librarian of Congress may designate employees of the Library of Congress as special policemen for duty in connection with policing of the Library of Congress buildings and grounds and adjacent streets and shall fix their rates of basic pay as follows:

(1) Private GS-7—step one through five;

(2) Sergeant GS-8—step one through five;

(3) Lieutenant GS-9—step one through five;

(4) Senior Lieutenant GS-10—step one through five; and

(5) Captain GS-11—step one through seven.

(b) The Librarian of Congress may apply the provisions of subchapter V of chapter 55 of title 5 to members of the special police force of the Library of Congress.

(Aug. 4, 1950, ch. 561, § 1, 64 Stat. 411; Oct. 21, 1968, Pub. L. 90-610, § 1, 82 Stat. 1201; Dec. 5, 1973, Pub. L. 93-175, § 1, 87 Stat. 693.)

AMENDMENTS

1973—Subsec. (a)(1). Pub. L. 93-175 substituted "Private GS-7-step one through five" for "Private—not to exceed the rate for GS-5, Step 5".

Subsec. (a)(2). Pub. L. 93-175 substituted "Sergeant GS-8-step one through five" for "Sergeant—not to exceed the rate for GS-6, Step 5".

Subsec. (a)(3). Pub. L. 93-175 substituted "Lieutenant GS-9-step one through five" for "Lieutenant—not to exceed the rate for GS-7, Step 5".

Subsec. (a)(4). Pub. L. 93-175 substituted "Senior Lieutenant GS-10-step one through five" for "Senior Lieutenant—not to exceed the rate for GS-9, Step 5".

Subsec. (a)(5). Pub. L. 93-175 substituted "Captain GS-11-step one through seven" for "Captain—not to exceed the rate for GS-10, Step 5".

1968—Pub. L. 90-610 eliminated provisions which permitted the Librarian to designate employees as special policement without additional compensation, and inserted provisions permitting designation of employees as special employees, prescribing their rates of basic pay, and empowering the Librarian to apply the provisions of subchapter V of chapter 55 of title 5 to members of the special police force.

EFFECTIVE DATE OF 1973 AMENDMENT

Section 2 of Pub. L. 93-175 provided that: "The amendment made by this Act [amending this section] shall take effect on the first day of the first pay period which begins on or after the date of enactment of this Act [Dec. 5, 1973]."

EFFECTIVE DATE OF 1968 AMENDMENT

Section 3 of Pub. L. 90-610 provided that: "The amendments made by this Act [amending this section and section 5102 of Title 5] shall take effect on the first day of the first pay period which begins on or after the date of enactment of this Act [Oct. 21, 1968]. Notwithstanding any provisions of this Act, no rate of basic pay shall be reduced by reason of the enactment of this Act."

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 167h, 167j of this title; title 5 section 5102.

§ 167a. Public use of Library of Congress grounds

Public travel in and occupancy of the Library of Congress grounds is restricted to the sidewalks and other paved surfaces.

(Aug. 4, 1950, ch. 561, § 2, 64 Stat. 411.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 167f, 167g, 167h, 167i, and 167j of this title.

§ 167b. Sales, advertisements, and solicitations in Library buildings and grounds

It shall be unlawful to offer or expose any article for sale in the Library of Congress buildings or grounds; to display any sign, placard, or other form of advertisement therein; or to solicit fares, alms, subscriptions, or contributions therein.

(Aug. 4, 1950, ch. 561, § 3, 64 Stat. 411.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 167f, 167g, 167h, 167i, and 167j of this title.

§ 167c. Injuries to Library property

It shall be unlawful to step or climb upon, remove, or in any way injure any statue, seat, wall fountain, or other erection or achitectural[1] feature, or any tree, shrub, plant, or turf in the Library of Congress buildings or grounds.

(Aug. 4, 1950, ch. 561, § 4, 64 Stat. 411.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 167f, 167g, 167h, 167i, and 167j of this title.

§ 167d. Firearms or fireworks; speeches; objectionable language in Library buildings and grounds

It shall be unlawful to discharge any firearm, firework or explosive, set fire to any combustible, make any harangue or oration, or utter loud, threatening, or abusive language in the Library of Congress buildings or grounds.

(Aug. 4, 1950, ch. 561, § 5, 64 Stat. 411.)

[1] So in original. Probably should be "architectural."

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 167f, 167g, 167h, 167i, and 167j of this title.

§ 167e. Parades, assemblages or display of flags in Library buildings and grounds

It shall be unlawful to parade, stand, or move in processions or assemblages in the Library of Congress buildings or grounds, or to display therein any flag, banner, or device designed or adapted to bring into public notice any party, organization, or movement.

(Aug. 4, 1950, ch. 561, § 6, 64 Stat. 411.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 167f, 167g, 167h, 167i, and 167j of this title.

§ 167f. Regulations for Library buildings and grounds; publication; effective date

(a) In addition to the restrictions and requirements specified in sections 167a to 167e of this title, the Librarian of Congress may prescribe such regulations as may be deemed necessary for the adequate protection of the Library of Congress buildings and grounds and of persons and property therein, and for the maintenance of suitable order and decorum within the Library of Congress buildings and grounds.

(b) All regulations promulgated under the authority of this section shall be printed in one or more of the daily newspapers published in the District of Columbia, and shall not become effective until the expiration of ten days after the date of such publication.

(Aug. 4, 1950, ch. 561, § 7, 64 Stat. 411.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 167g, 167h, 167j of this title.

§ 167g. Prosecution and punishment of offenses in Library buildings and grounds

Whoever violates any provision of sections 167a to 167e of this title, or of any regulation prescribed under section 167f of this title, shall be fined not more than $100 or imprisoned not more than sixty days, or both, prosecution for such offenses to be had in the Superior Court of the District of Columbia upon information by the United States attorney or any of his assistants: *Provided,* That in any case where, in the commission of any such offense, public property is damaged in an amount exceeding $100, the period of imprisonment for the offense may be not more than five years.

(Aug. 4, 1950, ch. 561, § 8, 64 Stat. 412; July 8, 1963, Pub. L. 88-60, § 1, 77 Stat. 77; July 29, 1970, Pub. L. 91-358, § 111, 84 Stat. 473.)

CHANGE OF NAME

"District of Columbia Court of General Sessions" was substituted for "Municipal Court for the District of Columbia" pursuant to act Apr. 1, 1942, ch. 207, §§ 1, 4, 56 Stat. 190, 192, which consolidated into a single court all powers and functions of the Police Court of the District of Columbia and the Municipal Court of the District of Columbia, and Pub. L. 87-873, § 1, Oct. 23, 1962, 76 Stat. 1171 and Pub. L. 88-60, § 1 July 8, 1963, 77 Stat. 77 which both redesignated the "Municipal Court for the District of Columbia" as the "District of Columbia Court of General Sessions".

"District of Columbia Court of General Sessions" was changed to "Superior Court of the District of Columbia" pursuant to Pub. L. 91-358, which provides that such change is effective the first day of the seventh calendar month which begins after July 29, 1970.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 167j of this title.

§ 167h. Jurisdiction of police within Library buildings, grounds, and adjacent streets

The special police provided for in section 167 of this title shall have the power, within the Library of Congress buildings and grounds and adjacent streets, to enforce and make arrests for violations of any provision of sections 167a to 167e of this title, of any regulation prescribed under section 167f of this title, or of any law of the United States, any law of the District of Columbia, or of any State, or any regulation promulgated pursuant thereto: *Provided,* That the Metropolitan Police force of the District of Columbia are authorized to make arrests within the Library of Congress buildings and grounds for any violations of any such laws or regulations, but such authority shall not be construed as authorizing the Metropolitan Police force, except with the consent or upon the request of the librarian of Congress or his assistants, to enter the Library of Congress buildings to make arrests in response to complaints or to serve warrants or to patrol the Library of Congress buildings or grounds.

(Aug. 4, 1950, ch. 561, § 9, 64 Stat. 412; Dec. 24, 1973, Pub. L. 93-198, title VII, § 739(g)(9), 87 Stat. 829.)

AMENDMENTS

1973—Pub. L. 93-198 inserted reference to violations of any law of the District of Columbia.

EFFECTIVE DATE OF 1973 AMENDMENT

Section 771 of Pub. L. 93-198 provided in part that the amendment of this section by Pub. L. 93-198 effective on Jan. 2, 1975, if a majority of the registered qualified electors in the District of Columbia voting on the charter issue in the charter referendum accepted the charter set out in Title IV of Pub. L. 93-198, Dec. 24, 1973, 87 Stat. 785. The charter was approved by the voters on May 7, 1974.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 167j of this title.

§ 167i. Suspension of prohibitions against use of Library buildings and grounds

In order to permit the observance of authorized ceremonies within the Library of Congress buildings and grounds, the Librarian of Congress may suspend for such occasions so much of the prohibitions contained in sections 167a to 167e of this title as may be necessary for the occasion, but only if responsible officers shall have been appointed, and arrangements determined which are adequate, in the judgment of the Librarian, for the maintenance of suitable order and decorum in the proceedings, and for the protection of the Library buildings and grounds and of persons and property therein.

(Aug. 4, 1950, ch. 561, § 10, 64 Stat. 412.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 167j of this title.

§ 167j. Area comprising Library of Congress grounds; buildings and grounds defined

(a) For the purposes of sections 167 to 167j of this title the Library of Congress grounds shall be held to extend to the line of the face of the east curb of First Street Southeast, between B Street Southeast and East Capitol Street; to the line of the face of the south curb of East Capitol Street, between First Street Southeast and Second Street Southeast; to the line of the face of the west curb of Second Street Southeast, between East Capitol Street and B Street Southeast; to the line of the face of the north curb of B Street Southeast, between First Street Southeast and Second Street Southeast; and to the line of the face of the east curb of Second Street Southeast, between Pennsylvania Avenue Southeast and the north side of the alley separating the Library Annex Building and the Folger Shakespeare Library; to the line of the north side of the same alley, between Second Street Southeast and Third Street Southeast; to the line of the face of the west curb of Third Street Southeast, between the north side of the same alley and B Street Southeast; to the line of the face of the north curb of B Street Southeast, between Third Street Southeast and Pennsylvania Avenue Southeast; to the line of the face of the northeast curb of Pennsylvania Avenue Southeast, between B Street Southeast and Second Street Southeast.

(b) For the purposes of sections 167 to 167j of this title, the term "Library of Congress buildings and grounds" shall include (1) the whole or any part of any building or structure which is occupied under lease or otherwise by the Library of Congress and is subject to supervision and control by the Librarian of Congress, (2) the land upon which there is situated any building or structure which is occupied wholly by the Library of Congress, and (3) any subway or enclosed passageway connecting two or more buildings or structures occupied in whole or in part by the Library of Congress.

(Aug. 4, 1950, ch. 561, § 11, 64 Stat. 412; June 17, 1970, Pub. L. 91-281, 84 Stat. 309.)

AMENDMENTS

1970—Pub. L. 91-281 designated existing provisions as subsec. (a), and added subsec. (b).

§ 168. Constitution of the United States; preparation and publication of revised edition; annotations; supplements; decennial editions and supplements

The Librarian of Congress shall have prepared—

(1) a hardbound revised edition of the Constitution of the United States of America—Analysis and Interpretation, published as Senate Document Numbered 39, Eighty-eighth Congress (referred to hereinafter as the "Constitution Annotated"), which shall contain annotations of decisions of the Supreme Court of the United States through the end of the October 1971 term of the Supreme Court, construing provisions of the Constitution;

(2) upon the completion of each of the October 1973, October 1975, October 1977, and October 1979 terms of the Supreme Court, a cumulative pocket-part supplement to the hardbound revised edition of the Constitution Annotated prepared pursuant to clause (1), which shall contain cumulative annotations of all such decisions rendered by the Supreme Court after the end of the October 1971 term;

(3) upon the completion of the October 1981 term of the Supreme Court, and upon the completion of each tenth October term of the Supreme Court thereafter, a hardbound decennial revised edition of the Constitution Annotated, which shall contain annotations of all decisions theretofore rendered by the Supreme Court construing provisions of the Constitution; and

(4) upon the completion of the October 1983 term of the Supreme Court, and upon the completion of each subsequent October term of the Supreme Court beginning in an odd-numbered year (the final digit of which is not a 1), a cumulative pocket-part supplement to the most recent hardbound decennial revised edition of the Constitution Annotated, which shall contain cumulative annotations of all such decisions rendered by the Supreme Court which were not included in that hardbound decennial revised edition of the Constitution Annotated.

(Pub. L. 91-589, § 1, Dec. 24, 1970, 84 Stat. 1586.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 168b, 168d of this title.

§ 168a. Printing of Constitution Annotated as Senate documents

All hardbound revised editions and all cumulative pocket-part supplements shall be printed as Senate documents.

(Pub. L. 91-589, § 2, Dec. 24, 1970, 84 Stat. 1586.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 168d of this title.

§ 168b. Printing and distribution of additional copies of Constitution Annotated

There shall be printed four thousand eight hundred and seventy additional copies of the hardbound revised editions prepared pursuant to clause (1) of section 168 of this title and of all cumulative pocket-part supplements thereto, of which two thousand six hundred and thirty-four copies shall be for the use of the House of Representatives, one thousand two hundred and thirty-six copies shall be for the use of the Senate, and one thousand copies shall be for the use of the Joint Committee on Printing. All Members of the Congress, Vice Presidents of the United States, and Delegates and Resident Commissioners, newly elected subsequent to the issuance of the hardbound revised edition prepared pursuant to such clause and prior to the first hardbound decennial revised edition, who did not receive a copy of the edition prepared pursuant to such clause, shall, upon timely request, receive one copy of such edition and the then current cumulative

pocket-part supplement and any further supplements thereto. All Members of the Congress, Vice Presidents of the United States, and Delegates and Resident Commissioners, no longer serving after the issuance of the hardbound revised edition prepared pursuant to such clause and who received such edition, may receive one copy of each cumulative pocket-part supplement thereto upon timely request.

(Pub. L. 91-589, § 3, Dec. 24, 1970, 84 Stat. 1586.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 168d of this title.

§ 168c. Printing and distribution of decennial editions and supplements to Constitution Annotated

Additional copies of each hardbound decennial revised edition and of the cumulative pocket-part supplements thereto shall be printed and distributed in accordance with the provisions of any concurrent resolution hereafter adopted with respect thereto.

(Pub. L. 91-589, § 4, Dec. 24, 1970, 84 Stat. 1587.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 168d of this title.

§ 168d. Authorization of appropriations for Constitution Annotated

There are authorized to be appropriated such sums, to remain available until expended, as may be necessary to carry out the provisions of sections 168 to 168d of this title.

(Pub. L. 91-589, § 5, Dec. 24, 1970, 84 Stat. 1587.)

§ 169. Positions in Library of Congress exempt from citizenship requirement

Not to exceed fifteen positions in the Library of Congress may be exempt from the provisions of appropriation Acts concerning the employment of aliens during the current fiscal year, but the Librarian shall not make any appointment to any such position until he has ascertained that he cannot secure for such appointments a person in any of the categories specified in such provisions who possesses the special qualifications for the particular position and also otherwise meets the general requirements for employment in the Library of Congress.

(Pub. L. 94-440, title VIII, § 802, Oct. 1, 1976, 90 Stat. 1457.)

SIMILAR PROVISIONS

Section is from the Legislative Branch Appropriation Act, 1977, Pub. L. 94-440. Similar provisions were contained in the following prior appropriations acts:

Pub. L. 94-59, title VII, § 702, July 25, 1975, 89 Stat. 294.
Pub. L. 93-371, § 101, Aug. 13, 1974, 88 Stat. 441.
Pub. L. 93-145, § 101, Nov. 1, 1973, 87 Stat. 547.
Pub. L. 92-342, § 101, July 10, 1972, 86 Stat. 446.
Pub. L. 92-51, § 101, July 9, 1971, 85 Stat. 141.
Pub. L. 91-382, § 101, Aug. 18, 1970, 84 Stat. 823.
Pub. L. 91-145, § 101, Dec. 12, 1969, 83 Stat. 357.
Pub. L. 90-417, § 101, July 23, 1968, 82 Stat. 411.
Pub. L. 90-57, § 101, July 28, 1967, 81 Stat. 140.
Pub. L. 89-545, § 101, Aug. 27, 1966, 80 Stat. 368.
Pub. L. 89-90, § 101, July 27, 1965, 79 Stat. 280.
Pub. L. 88-454, § 101, Aug. 20, 1964, 78 Stat. 548.
Pub. L. 88-248, § 101, Dec. 30, 1963, 77 Stat. 816.
Pub. L. 87-730, § 101, Oct. 2, 1962, 76 Stat. 692.
Pub. L. 87-130, § 101, Aug. 10, 1961, 75 Stat. 333.
Pub. L. 86-628, § 101, July 12, 1960, 74 Stat. 459.
Pub. L. 86-176, § 101, Aug. 21, 1959, 73 Stat. 411.
Pub. L. 85-570, § 101, July 31, 1958, 72 Stat. 452.
Pub. L. 85-75, § 101, July 1, 1957, 71 Stat. 255.
June 27, 1956, ch. 453, § 101, 70 Stat. 368.
Aug. 5, 1955, ch. 568, § 101, 69 Stat. 518.
July 2, 1954, ch. 455, § 101, 68 Stat. 408.
Aug. 1, 1953, ch. 304, § 101, 67 Stat. 330.
July 9, 1952, ch. 598, § 101, 66 Stat. 476.
Oct. 11, 1951, ch. 485, § 101, 65 Stat. 400.
Sept. 6, 1950, ch. 896, § 101, 64 Stat. 606.
June 22, 1949, ch. 235, § 101, 63 Stat. 228.
June 14, 1948, ch. 467, § 101, 62 Stat. 434.
July 17, 1947, ch. 262, § 101, 61 Stat. 374.
July 1, 1946, ch. 530, § 101, 60 Stat. 405.
June 13, 1945, ch. 189, § 101, 59 Stat. 256.
June 26, 1944, ch. 277, § 101, 58 Stat. 351.
June 28, 1943, ch. 173, § 101, 57 Stat. 236.

CROSS REFERENCES

Restriction on employment of aliens generally, see section 699b of Title 31, Money and Finance.

§ 170. American Television and Radio Archives

(a) Establishment and maintenance in Library of Congress; purpose; determination of composition, cataloging, indexing and availability by Librarian

The Librarian of Congress (hereinafter referred to as the "Librarian") shall establish and maintain in the Library of Congress a library to be known as the American Television and Radio Archives (hereinafter referred to as the "Archives"). The purpose of the Archives shall be to preserve a permanent record of the television and radio programs which are the heritage of the people of the United States and to provide access to such programs to historians and scholars without encouraging or causing copyright infringement.

(1) The Librarian, after consultation with interested organizations and individuals, shall determine and place in the Archives such copies and phonorecords of television and radio programs transmitted to the public in the United States and in other countries which are of present or potential public or cultural interest, historical significance, cognitive value, or otherwise worthy of preservation, including copies and phonorecords of published and unpublished transmission programs—

(A) acquired in accordance with sections 407 and 408 of title 17; and

(B) transferred from the existing collections of the Library of Congress; and

(C) given to or exchanged with the Archives by other libraries, archives, organizations, and individuals; and

(D) purchased from the owner thereof.

(2) The Librarian shall maintain and publish appropriate catalogs and indexes of the collections of the Archives, and shall make such collections available for study and research under the conditions prescribed under this section.

(b) Reproduction, compilation, and distribution for research of regularly scheduled newscasts or on-the-spot coverage of news events by Librarian; promulgation of regulations

Notwithstanding the provisions of section 106 of title 17, the Librarian is authorized with re-

spect to a transmission program which consists of a regularly scheduled newscast or on-the-spot coverage of news events and, under standards and conditions that the Librarian shall prescribe by regulation—

(1) to reproduce a fixation of such a program, in the same or another tangible form, for the purposes of preservation or security or for distribution under the conditions of clause (3) of this subsection; and

(2) to compile, without abridgment or any other editing, portions of such fixations according to subject matter, and to reproduce such compilations for the purpose of clause (1) of this subsection; and

(3) to distribute a reproduction made under clause (1) or (2) of this subsection—

(A) by loan to a person engaged in research; and

(B) for deposit in a library or archives which meets the requirements of section 108(a) of title 17,

in either case for use only in research and not for further reproduction or performance.

(c) Liability for copyright infringement by Librarian or any employee of Librarian

The Librarian or any employee of the Library who is acting under the authority of this section shall not be liable in any action for copyright infringement committed by any other person unless the Librarian or such employee knowingly participated in the act of infringement committed by such person. Nothing in this section shall be construed to excuse or limit liability under title 17 for any act not authorized by that title or this section, or for any act performed by a person not authorized to act under that title or this section.

(d) Short title

This section may be cited as the "American Television and Radio Archives Act".

(Pub. L. 94-553, title I, § 113, Oct. 19, 1976, 90 Stat. 2601.)

REFERENCES IN TEXT

Title 17 and sections 106, 108(a), 407, and 408, thereof, referred to in text, refer to Title 17, Copyrights, as revised by Pub. L. 94-553, § 101, Oct. 19, 1976, 90 Stat. 2541, effective Jan. 1, 1978.

EFFECTIVE DATE

Section effective Jan. 1, 1978, see section 102 of Pub. L. 94-553, set out as a note preceding section 101 of Title 17, Copyrights.

CHAPTER 6—CONGRESSIONAL AND COMMITTEE PROCEDURE; INVESTIGATIONS

Sec.

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§ 190. Determination of Senate committee jurisdiction

In any case in which a controversy arises as to the jurisdiction of any standing committee of the Senate with respect to any proposed legislation, the question of jurisdiction shall be decided by the presiding officer of the Senate, without debate, in favor of that committee which has jurisdiction over the subject matter which predominates in such proposed legislation; but such decision shall be subject to an appeal.

(Aug. 2, 1946, ch. 753, title I, § 137, 60 Stat. 832.)

EFFECTIVE DATE

Section 142 of act Aug. 2, 1946, provided that this section, former sections 72b-1, 190e, and sections 190a to 190d, 190f, 190g, and 198 of this title shall take effect on January 2, 1947.

§ 190a. Committee meetings

(a) Regular, additional, and special meetings

Each standing committee of the Senate shall fix regular weekly, biweekly, or monthly meetings days for the transaction of business before the committee and additional meetings may be called by the chairman as he may deem necessary. If at least three members of any such committee desire that a special meeting of the committee be called by the chairman, those members may file in the offices of the committee their written request to the chairman for that special meeting. Immediately upon the filing of the request, the clerk of the committee shall notify the chairman of the filing of the request. If, within three calendar days after the filing of the request, the chairman does not call the requested special meeting, to be held within seven calendar days after the filing of the request, a majority of the members of the committee may file in the offices of the committee their written notice that a special meeting of the committee will be held, specifying the date and hour of that special meeting. The committee shall meet on that date and hour. Immediately upon the filing of the notice, the clerk of the committee shall notify all members of the committee that such special meeting will be held and inform them of its date and hour. If the chairman of any such committee is not present at any regular, additional, or special meeting of the committee, the ranking member of the majority party on the committee who is present shall preside at that meeting.

(b) Repealed. S. Res. 9, § 2, Nov. 5, 1975

(c) Filing of committee reports

It shall be the duty of the chairman of each standing committee of the Senate to report or cause to be reported promptly to the Senate any measure approved by his committee and to take or cause to be taken necessary steps to bring the matter to a vote. In any event, the report of any such committee upon a measure which has been approved by the committee shall be filed within seven calendar days (exclusive of days on which the Senate is not in session) after the day on which there has been filed with the clerk of the committee a written and signed request of a majority of the committee for the reporting of that measure. Upon the filing of any such request, the clerk of the committee shall transmit immediately to the chairman of the committee notice of the filing of that request.

(d) Concurrence of majority members present; proxy voting, ratification of action taken; tabulation of votes; proxy voting and quorum rules

No measure or recommendation shall be reported from any standing committee of the Senate (including the Committee on Appropriations) unless a majority of the committee were actually present. The vote of the committee to report a measure or matter shall require the concurrence of a majority of the members of the committee who are present. No vote of any member of any such committee to report a measure or matter may be cast by proxy if rules adopted by such committee forbid the casting of votes for that purpose by proxy; however, proxies shall not be voted for such purpose except when the absent committee member has been informed of the matter on which he is being recorded and has affirmatively requested that he be so recorded. Action by any such committee in reporting any measure or matter in accordance with the requirements of this subsection shall constitute the ratification by the committee of all action theretofore taken by the committee with respect to that measure or matter, including votes taken upon the measure or matter or any amendment thereto, and no point of order shall lie with respect to that measure or matter on the ground that such previous action with respect thereto by such committee was not taken in compliance with such requirements. Whenever any such committee by rollcall vote reports any measure or matter, the report of the committee upon such measure or matter shall include a tabulation of the votes cast in favor of and the votes cast in opposition to such measure or matter by each member of the committee. Nothing contained in this subsection shall abrogate the power of any committee of the Senate to adopt rules—

(1) providing for proxy voting on all matters other than the reporting of a measure or matter, or

(2) providing in accordance with the rules of the Senate for a lesser number as a quorum for any action other than the reporting of a measure or matter.

(e) Supplemental, minority, and additional views

If, at the time of approval of a measure or matter by any standing committee of the Senate, any member of the committee gives

notice of intention to file supplemental, minority, or additional views, that member shall be entitled to not less than three calendar days in which to file such views, in writing, with the clerk of the committee. All such views so filed by one or more members of the committee shall be included within, and shall be a part of, the report filed by the committee with respect to that measure or matter. The report of the committee upon that measure or matter shall be printed in a single volume which—

(1) shall include all supplemental, minority, or additional views which have been submitted by the time of the filing of the report, and

(2) shall bear upon its cover a recital that supplemental, minority, or additional views are included as part of the report.

This subsection does not preclude—

(A) the immediate filing and printing of a committee report unless timely request for the opportunity to file supplemental, minority, or additional views has been made as provided by this subsection; or

(B) the filing by any such committee of any supplemental report upon any measure or matter which may be required for the correction of any technical error in a previous report made by that committee upon that measure or matter.

(f) Availability of committee reports and printed hearings on measures and matters before floor consideration thereof; waiver; declaration of war or national emergency exceptions; executive action effective unless disapproved or invalidated by legislative action

A measure or matter reported by any standing committee of the Senate (including the Committee on Appropriations) shall not be considered in the Senate unless the report of that committee upon that measure or matter has been available to the Members of the Senate for at least three calendar days (excluding Saturdays, Sundays, and legal holidays) prior to the consideration of that measure or matter in the Senate. If hearings have been held on any such measure or matter so reported, the committee reporting the measure or matter shall make every reasonable effort to have such hearings printed and available for distribution to the Members of the Senate prior to the consideration of such measure or matter in the Senate. This subsection—

(1) may be waived by joint agreement of the majority leader and the minority leader of the Senate; and

(2) shall not apply to—

(A) any measure for the declaration of war, or the declaration of a national emergency, by the Congress, and

(B) any executive decision, determination, or action which would become, or continue to be, effective unless disapproved or otherwise invalidated by one or both Houses of Congress.

(g) Expenditure authorization resolution; supplemental authorization resolution; exception

Each standing committee of the Senate which, in any year beginning on or after January 1, 1971, requires authorization for the expenditure of funds in excess of the amount specified by section 190b(a) of this title shall offer one annual authorization resolution to procure such authorization. Each such annual authorization resolution shall include a specification of the amount of all such funds sought by such committee for expenditure by all subcommittees thereof during that year and the amount so sought for each such subcommittee. The annual authorization resolution of any such committee of the Senate for each year beginning on or after January 1, 1971, shall be offered not later than January 31 of that year, except that, whenever the designation of members of standing committees of the Senate occurs during the first session of any Congress at a date later than January 20, such resolution may be offered by any standing committee of the Senate at any time within thirty days after the date on which a majority of the members of such committee have been designated during that session. After the date on which an annual authorization resolution has been offered by any such committee in any year, or the last date on which such committee pursuant to the preceding sentence may offer such a resolution, whichever date occurs earlier, such committee in any year may procure authorization for the expenditure of funds in excess of the amount specified by section 190b(a) of this title only by offering a supplemental authorization resolution. Each such supplemental authorization resolution shall include a specification of the amount of all supplemental funds sought by that committee for expenditure by all subcommittees thereof under such resolution and the amount so sought for such subcommittee. Each such supplemental authorization resolution shall amend the annual authorization resolution of such committee for that year unless the committee offered no annual authorization resolution for that year, in which case the committee's supplemental authorization resolution shall not be an amendment to any other resolution and any subsequent supplemental authorization resolution of such committee for the same year shall amend the first such resolution offered by the committee for that year. Each such supplemental resolution reported by such committee shall be accompanied by a report to the Senate specifying with particularity the purpose for which such authorization is sought and the reason why such authorization could not have been sought at the time of, or within the period provided for, the submission by such committee of an annual authorization resolution for that year. The minority shall receive fair consideration in the appointment of staff personnel pursuant to any such annual or supplemental resolution. This subsection shall not apply to any resolution requesting funds in addition to the amount specified in such section 190b(a) of this title and which are to be expended only for the same purposes for which such amount may be expended.

(h) Committee on Appropriations of the Senate excepted from provisions

Except as otherwise specifically provided by this section, the foregoing provisions of this section do not apply to the Committee on Appropriations of the Senate.

(Aug. 2, 1946, ch. 753, title I, § 133, 60 Stat. 831; Oct. 26, 1970, Pub. L. 91-510, title I, §§ 102(a), 103(a), 104(a), 105(a), 106(a), 107(a), 108(a), 110(a), 84 Stat. 1143-1149; Dec. 16, 1970, Pub. L. 91-552, § 1(2), 84 Stat. 1440; Oct. 11, 1971, Pub. L. 92-136, § 3(a), (b), 85 Stat. 377; S. Res. 9, § 2, Nov. 5, 1975.)

AMENDMENTS

1975—Subsec. (b). S. Res. 9 repealed subsec. (b) which provided that meetings of standing committees of the Senate for the transaction of business be open to the public except during executive sessions for marking up bills or for voting or when the committee by majority vote ordered an executive session.

1971—Subsec. (g). Pub. L. 92-136 required supplemental authorization resolution to include a specification of the amount of all supplemental funds sought by a committee for expenditure by all subcommittees thereof under such resolution and the amount sought for each subcommittee, provided that supplemental resolutions be considered amendments to the annual authorization resolution of the committee for a particular year thereby eliminating the requirement for separate resolutions in a single year, substituted provisions requiring each supplemental resolution to be accompanied by a report to the Senate specifying the purpose for which the authorization is sought and the reason why such authorization could not have been sought at the time of, or within the period provided for, the submission of an annual authorization for that year, for provisions requiring such specification in the body of the resolution, and added provision excepting resolutions supplementing routine expenditures authorized by section 190b of this title from the annual funding requirement.

1970—Subsec. (a). Pub. L. 91-552 substituted "preside" for "prescribe" in last sentence.

Pub. L. 91-510, § 102(a), limited the provisions to each standing committee of the Senate, deleting "and the House of Representatives (except the Committees on Appropriations" following "Senate", and added the special meeting provisions.

Subsec. (b). Pub. L. 91-150, §§ 103(a), 104(a), incorporated former subsec. (f) provisions for open committee business meetings, excepting executive sessions for marking up bills, voting, or when executive sessions have been ordered by majority vote, and provided for public announcement of committee votes, respectively.

Subsec. (c). Pub. L. 91-510, § 105(a)(1) to (3), substituted "each standing committee of the Senate" for "each such committee", struck out "or House of Representatives, as the case may be," following "Senate", and provided for filing of committee reports and transmittal of notice of filing of request to chairman of the committee, respectively.

Subsec. (d). Pub. L. 91-510, § 106(a)(1), (2), substituted "any standing committee of the Senate (including the Committee on Appropriations)" for "any such committee" and added provisions respecting concurrence of majority of members present when voting to report a measure or matter, proxy voting, action constituting ratification of action taken, tabulation of votes, and recognition of power to adopt rules on proxy voting and number as a quorum on matters other than reporting a measure or matter, respectively.

Subsec. (e). Pub. L. 91-510, § 107(a), substituted provisions relating to filing of supplemental, minority, and additional views for prior provisions for filing in advance written statements of proposed testimony of witnesses, limitation of oral testimony to brief summaries of their argument, and preparation by committee staff of digests of the statements for use of committee members; now incorporated in section 190a-1(c), (d) of this title.

Subsec. (f). Pub. L. 91-510, § 108(a), substituted provisions for availability to the Senate of committee reports and printed hearings on measures and matters before floor consideration thereof, waiver of such requirement, and nonapplication thereof to measures for declaration of war or national emergency and to any executive action effective unless disapproved or invalidated by either or both Houses of Congress for prior provisions making hearings of standing committees or subcommittees open to the public, except executive sessions for marking up bills, voting, or when executive sessions have been ordered by majority vote, now incorporated in subsec. (b) of this section.

Subsecs. (g), (h). Pub. L. 91-510, § 110(a), added subsecs. (g) and (h).

EFFECTIVE DATE OF 1970 AMENDMENT

Amendment by Pub. L. 91-510 effective immediately prior to noon on Jan. 3, 1971, see section 601(1) of Pub. L. 91-510, set out as a note under section 72a of this title.

EFFECTIVE DATE

Section effective Jan. 2, 1947, see section 142 of act Aug. 2, 1946, set out as a note under section 190 of this title.

1971 AMENDMENTS DEEMED STANDING RULES OF THE SENATE, SUPERSEDING OTHER INCONSISTENT RULES

Section 3(c) of Pub. L. 92-136 provided that: "The amendments made by subsections (a) and (b) of this section [amending subsec. (g) of this section] are enacted by the Senate as an exercise of its rulemaking power, and such amendments are deemed a part of the Standing Rules of the Senate, superseding other individual rules of the Senate only to the extent that such amendments are inconsistent with those other individual Senate rules, subject to and with full recognition of the power of the Senate to enact or change any rule of the Senate at any time in its exercise of its constitutional right to determine the rules of its proceedings."

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 190a-1 of this title.

§ 190a-1. Senate committee hearing procedure

(a) Public notice of committee hearing: date, place, etc.

Each standing, select, or special committee of the Senate (except the Committee on Appropriations) shall make public announcement of the date, place, and subject matter of any hearing to be conducted by the committee on any measure or matter at least one week before the commencement of that hearing unless the committee determines that there is good cause to begin such hearing at an earlier date.

(b) Repealed. S. Res. 9, § 2, Nov. 5, 1975

(c) Statements of witnesses of proposed testimony; digest of statements

Each standing, select, or special committee of the Senate (except the Committee on Appropriations) shall require each witness who is to appear before the committee in any hearing to file with the clerk of the committee, at least one day before the date of the appearance of that witness, a written statement of his proposed testimony unless the committee chairman and the ranking minority member determine that there is good cause for the failure of the witness to file such a statement in compliance with this subsection. If so requested by any such committee, the staff of the committee shall prepare for the use of the members of the committee before each day of hearing before the committee a digest of the statements which

have been so filed by witnesses who are to appear before the committee on that day.

(d) Summary and printing of testimony

After the conclusion of each day of hearing, if so requested by any such committee, the staff shall prepare for the use of the members of the committee a summary of the testimony given before the committee on that day. After approval by the chairman and the ranking minority member of the committee, each such summary may be printed as a part of the committee hearings if such hearings are ordered by the committee to be printed.

(e) Calling of witnesses selected by the minority

Whenever any hearing is conducted by any such committee of the Senate (except the Committee on Appropriations) upon any measure or matter, the minority on the committee shall be entitled, upon request made by a majority of the minority members to the chairman before the completion of such hearing, to call witnesses selected by the minority to testify with respect to the measure or matter during at least one day of hearing thereon.

(f) Points of order

Whenever any such committee of the Senate (except the Committee on Appropriations) has reported any measure, by action taken in conformity with the requirements of section 190a(d) of this title, no point of order shall lie with respect to that measure on the ground that hearings upon that measure by the committee were not conducted in accordance with the provisions of this section.

(Aug. 2, 1946, ch. 753, title I, § 133A, as added Oct. 26, 1970, Pub. L. 91-510, title I, §§ 111(a)(1), 112(a), 113(a), 114(a), 115(a), 116(a), 84 Stat. 1151-1153, and amended S. Res. 9, § 2, Nov. 5, 1975.)

CODIFICATION

Section is comprised of subsecs. of section 133A of Title I of Act Aug. 2, 1946, as added by sections of Title I of Pub. L. 91-510 as follows:
subsec. (a) by section 111(a)(1),
subsec. (b), first and second sentences, by sections 112(a) and 116(a),
subsecs. (c) and (d) by section 113(a),
subsec. (e) by section 114(a), and
subsec. (f) by section 115(a).

AMENDMENTS

1975—Subsec. (b). S. Res. 9 repealed subsec. (b) which provided that each hearing of a standing, select, or special committee of the Senate (except the Committee on Appropriations) be open to the public except in certain specified instances.

EFFECTIVE DATE

Section effective immediately prior to noon on Jan. 3, 1971, see section 601(1) of Pub. L. 91-510, set out as a note under section 72a of this title.

COMMITTEE ON THE BUDGET OF THE SENATE; INAPPLICABILITY OF OPEN HEARINGS REQUIREMENT

Section 102(e) of Pub. L. 93-344, title I, July 12, 1974, 88 Stat. 302, which provided in part that section 133A(b) of the Legislative Reorganization Act of 1946 [subsec. (b) of this section] should not apply to the Committee on the Budget of the Senate, was repealed by S. Res. 9, § 2, Nov. 5, 1975.

§ 190a-2. Senate committee rules; amendments; publication in Congressional Record

Each standing, select, or special committee of the Senate shall adopt rules (not inconsistent with the Standing Rules of the Senate or with those provisions of law having the force and effect of Standing Rules of the Senate) governing the procedure of such committee. The rules of each such committee shall be published in the Congressional Record not later than March 1 of each year, except that if any such committee is established on or after February 1 of a year, the rules of that committee during the year of establishment shall be published in the Congressional Record not later than sixty days after such establishment. An amendment to the rules of any such committee shall be published in the Congressional Record not later than thirty days after the adoption of such amendment. If the Congressional Record is not published on the last day of any period during which the rules of any such committee, or an amendment to those rules, is required to be published in the Congressional Record by this section, such rules or amendment shall be published in the first daily edition of the Congressional Record published following such day.

(Aug. 2, 1946, ch. 753, title I, § 133B, as added Oct. 26, 1970, Pub. L. 91-510, title I, § 130(a), 84 Stat. 1163.)

EFFECTIVE DATE

Section effective immediately prior to noon on Jan. 3, 1971, see section 601(1) of Pub. L. 91-510, set out as a note under section 72a of this title.

§ 190a-3. Repealed. S. Res. 9, § 2, Nov. 5, 1975

Section, Pub. L. 93-344, title I, § 102(d), July 12, 1974, 88 Stat. 301, provided that meetings of the Senate Committee on the Budget or any subcommittee thereof be open to the public except in certain specified instances.

§ 190b. Authority of Senate standing committees and subcommittees; sitting while Senate in session; Committee on Appropriations of the Senate: exception

(a) Each standing committee of the Senate, including any subcommittee of any such committee, is authorized to hold such hearings, to sit and act at such times and places during the sessions, recesses, and adjourned periods of the Senate, to require by subpena or otherwise the attendance of such witnesses and the production of such correspondence, books, papers, and documents, to take such testimony and to make such expenditures (not in excess of $10,000 for each committee during any Congress) as it deems advisable. Each such committee may make investigations into any matter within its jurisdiction, may report such hearings as may be had by it, and may employ stenographic assistance at a cost not exceeding 25 cents per hundred words. The expenses of the committee shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman.

(b) Except as otherwise provided in this subsection, no standing committee of the Senate shall sit, without special leave, while the Senate is in session. The prohibition contained in the preceding sentence shall not apply to the Com-

mittee on Appropriations or the Committee of the Budget of the Senate. Any other standing committee of the Senate may sit for any purpose while the Senate is in session if consent therefor has been obtained from the majority leader and the minority leader of the Senate. In the event of the absence of either of such leaders, the consent of the absent leader may be given a Senator designated by such leader for that purpose. Notwithstanding the provisions of this subsection, any standing committee of the Senate may sit without special leave for any purpose as authorized by paragraph 7 of rule XXV of the Standing Rules of the Senate.

(Aug. 2, 1946, ch. 753, title I, § 134(a), (c), 60 Stat. 831, 832; Oct. 26, 1970, Pub. L. 91-510, title I, § 117(a), 84 Stat. 1155; Dec. 16, 1970, Pub. L. 91-552, § 1(6), 84 Stat. 1440; July 12, 1974, Pub. L. 93-344, title IX, § 903(a), 88 Stat. 331.)

CODIFICATION

Section constitutes subsecs. (a) and (c) of section 134 of act Aug. 2, 1946. Subsection (b) of such section 134 was classified to section 72b-1 of this title which was omitted as superseded.

AMENDMENTS

1974—Subsec. (b). Pub. L. 93-344 inserted "or the Committee on the Budget" following "the Committee on Appropriations".

1970—Subsec. (b). Pub. L. 91-552 substituted "paragraph 7" for "paragraph 5".

Pub. L. 91-510 inserted introductory phrase "Except as otherwise provided in this subsection,", deleted from first sentence "or the House, except the Committee on Rules of the House," and "or the House, as the case may be," following "Senate", and added provisions excepting Committee on Appropriations of the Senate from the prohibition, for meetings if consented to by majority leader and minority leader of the Senate, or designee in absence of leader, and for meetings as authorized in the Standing Rules of the Senate.

EFFECTIVE DATE OF 1974 AMENDMENT

Amendment by Pub. L. 93-344 effective July 12, 1974, see section 905 of Pub. L. 93-344, set out as a note under section 1301 of Title 31, Money and Finance.

EFFECTIVE DATE OF 1970 AMENDMENT

Amendment by Pub. L. 91-510 effective immediately prior to noon on Jan. 3, 1971, see section 601(1) of Pub. L. 91-510, set out as a note under section 72a of this title.

EFFECTIVE DATE

Section effective Jan. 2, 1947, see section 142 of act Aug. 2, 1946, set out as a note under section 190 of this title.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 190a of this title.

§ 190c. Senate conference reports

(a) Restriction of conferees' reports to matters considered

In any case in which a disagreement to an amendment in the nature of a substitute has been referred to conferees, it shall be in order for the conferees to report a substitute on the same subject matter; but they may not include in the report matter not committed to them by either House. They may, however, include in their report in any such case matter which is a germane modification of subjects in disagreement.

(b) Procedure on violation

In any case in which the conferees violate subsection (a) of this section, the conference report shall be subject to a point of order.

(c) Printing as Senate report

Each report made by a committee of conference to the Senate shall be printed as a report of the Senate. As so printed, such report shall be accompanied by an explanatory statement prepared jointly by the conferees on the part of the House and the conferees on the part of the Senate. Such statement shall be sufficiently detailed and explicit to inform the Senate as to the effect which the amendments or propositions contained in such report will have upon the measure to which those amendments or propositions relate.

(d) Equal time provision

If time for debate in the consideration of any report of a committee of conference upon the floor of the Senate is limited, the time allotted for debate shall be equally divided between the majority party and the minority party.

(Aug. 2, 1946, ch. 753, title I, § 135, 60 Stat. 832; Oct. 26, 1970, Pub. L. 91-510, title I, § 125(a)(2), 84 Stat. 1159.)

AMENDMENTS

1970—Subsecs. (c), (d). Pub. L. 91-510 added subsecs. (c) and (d).

EFFECTIVE DATE OF 1970 AMENDMENT

Amendment by Pub. L. 91-510 effective immediately prior to noon on Jan. 3, 1971, see section 601(1) of Pub. L. 91-510, set out as a note under section 72a of this title.

EFFECTIVE DATE

Section effective Jan. 2, 1947, see section 142 of act Aug. 2, 1946, set out as a note under section 190 of this title.

§ 190d. Legislative review by standing committees of the Senate and the House of Representatives

(a) Scope of assistance

In order to assist the Congress in—

(1) its analysis, appraisal, and evaluation of the application, administration, and execution of the laws enacted by the Congress, and

(2) its formulation, consideration, and enactment of such modifications of or changes in those laws, and of such additional legislation, as may be necessary or appropriate,

each standing committee of the Senate and the House of Representatives shall review and study, on a continuing basis, the application, administration, and execution of those laws, or parts of laws, the subject matter of which is within the jurisdiction of that committee. Such committees may carry out the required analysis, appraisal, and evaluation themselves, or by contract, or may require a Government agency to do so and furnish a report thereon to the Congress. Such committees may rely on such techniques as pilot testing, analysis of costs in comparison with benefits, or provision for evaluation after a defined period of time.

(b) Reports to the Senate and the House of Representatives

In each odd-numbered year beginning on or after January 1, 1973, each standing committee of the Senate shall submit, not later than March 31, to the Senate, and each standing committee of the House shall submit, not later than January 2, to the House, a report on the activities of that committee under this section during the Congress ending at noon on January 3 of such year.

(c) Exceptions

The preceding provisions of this section do not apply to the Committees on Appropriations and the Budget of the Senate and the Committees on Appropriations, the Budget, House Administration, Rules, and Standards of Official Conduct of the House.

(Aug. 2, 1946, ch. 753, title I, § 136, 60 Stat. 832; Oct. 26, 1970, Pub. L. 91-510, title I, § 118(a)(1), 84 Stat. 1156; Oct. 11, 1971, Pub. L. 92-136, § 1, 85 Stat. 376; July 12, 1974, Pub. L. 93-344, title VII, § 701, title IX, § 903(b), 88 Stat. 325, 331.)

AMENDMENTS

1974—Subsec. (a). Pub. L. 93-344, § 701, authorized the committees to carry out the required analysis, appraisal, and evaluation themselves, or by contract, or to require a Government agency to do so and furnish a report thereon to the Congress, and authorized the committees to rely on such techniques as pilot testing, analysis of costs in comparison with benefits, or provision for evaluation after a defined period of time.

Subsec. (c). Pub. L. 93-344, § 903(b), substituted "Committees on Appropriations and the Budget of the Senate and the Committees on Appropriations, the Budget," for "Committee on Appropriations of the Senate and the Committee on Appropriations,".

1971—Subsec. (a). Pub. L. 92-136 substituted "Congress" for "Senate" in provisions preceding clause (1) and added reference to the House of Representatives in provisions following clause (2).

Subsec. (b). Pub. L. 92-136 substituted "In each odd-numbered year beginning on or after January 1, 1973, each" for "Each" and "March 31, to the Senate, and each standing committee of the House shall submit, not later than January 2, to the House," for "March 31 of each odd-numbered year beginning on and after January 1, 1973, to the Senate".

Subsec. (c). Pub. L. 92-136 added reference to the Committees on Appropriations, House Administration, Rules, and Standards of Official Conduct of the House.

1970—Subsec. (a). Pub. L. 91-510 incorporated existing subject matter in provisions designated as subsec. (a), restricted the text to standing committees of Senate, revised phraseology to require standing committees to review and study, on a continuing basis, application, administration, and execution of laws and parts of laws for prior provision for exercise of continuous watchfulness of execution of laws by administrative agencies concerned, and in providing for assistance to the Senate, rather than the Congress, included analysis and evaluation of laws enacted by Congress and substituted provision for formulation, consideration, and enactment of modifications or changes in the laws and of additional legislation as necessary or appropriate for prior provisions for assistance in developing amendments or related legislation as may be necessary.

Subsecs. (b), (c). Pub. L. 91-510 added subsecs. (b) and (c).

EFFECTIVE DATE OF 1974 AMENDMENT

Amendment by Pub. L. 93-344 effective July 12, 1974, see section 905 of Pub. L. 93-344, set out as a note under section 1301 of Title 31, Money and Finance.

EFFECTIVE DATE OF 1971 AMENDMENT

Section 9(a) of Pub. L. 92-136 provided that: "The amendments made by the first section [amending this section] section 2, and section 5 of this Act [amending subsecs. (g) and (j)(1) of section 72a of this title] shall become effective as of noon on January 3, 1971."

EFFECTIVE DATE OF 1970 AMENDMENT

Amendment by Pub. L. 91-510 effective immediately prior to noon on Jan. 3, 1971, see section 601(1) of Pub. L. 91-510, set out as a note under section 72a of this title.

EFFECTIVE DATE

Section effective Jan. 2, 1947, see section 142 of act Aug. 2, 1946, set out as a note under section 190 of this title.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in title 22 section 1754.

§ 190e. Repealed. Pub. L. 91-510, title II, § 242(b)(1), Oct. 26, 1970, 84 Stat. 1172

Section, act Aug. 2, 1946, ch. 753, title I, § 138, 60 Stat. 832, related to report of legislative budget by Committee on Ways and Means and Committee on Appropriations of the House and Committee on Finance and Committee on Appropriations of the Senate, its contents, and concurrent resolution adopting the budget. Subject matter is covered now in part by section 190h of this title and by Rules of the House of Representatives.

EFFECTIVE DATE OF REPEAL

Repeal of provisions by Pub. L. 91-510 effective immediately prior to noon on Jan. 3, 1971, see section 601(1) of Pub. L. 91-510, set out as a note under section 72a of this title.

§ 190f. General appropriation bills

(a) Repealed. Pub. L. 91-510, title I, § 108(d), Oct. 26, 1970, 84 Stat. 1149

(b) Standard appropriation classification schedule

The Committees on Appropriations of the two Houses are authorized and directed, acting jointly, to develop a standard appropriation classification schedule which will clearly define in concise and uniform accounts the subtotals of appropriations asked for by agencies in the executive branch of the Government. That part of the printed hearings containing each such agency's request for appropriations shall be preceded by such a schedule.

(c) Nonconsideration if a provision reappropriates unexpended balances

No general appropriation bill or amendment thereto shall be received or considered in either House if it contains a provision reappropriating unexpended balances of appropriations; except that this provision shall not apply to appropriations in continuation of appropriations for public works on which work has commenced.

(Aug. 2, 1946, ch. 753, title I, § 139(a), (b), (c), 62 Stat. 833; Oct. 26, 1970, Pub. L. 91-510, title I, § 108(d), 84 Stat. 1149.)

CODIFICATION

Section constitutes subsections (a) to (c) of section 139 of act Aug. 2, 1946. Subsection (d) of section 139, which required the two Houses of Congress to make a

study of existing permanent appropriations with a view to limiting the number thereof and to recommending what permanent appropriations should be discontinued, and of the disposition of funds resulting from the sale of Government property or services by all departments and agencies in the executive branch of the Government with a view to recommending a uniform system of control with respect to those funds, was omitted from the Code as being of a temporary character.

AMENDMENTS

1970—Subsec. (a). Pub. L. 91-510 repealed prohibition against consideration of any general appropriation bill in either House unless prior to such consideration printed committee hearings and reports on the bill have been available for at least three calendar days for the Members of the House considering the bill, now incorporated in section 190a(f) of this title.

EFFECTIVE DATE OF 1970 AMENDMENT

Repeal of subsec. (a) effective immediately prior to noon on Jan. 3, 1971, see section 601(1) of Pub. L. 91-510, set out as a note under section 72a of this title.

EFFECTIVE DATE

Section effective Jan. 2, 1947, see section 142 of act Aug. 2, 1946, set out as a note under section 190 of this title.

§ 190g. Nonconsideration of certain private bills and resolutions

No private bill or resolution (including so-called omnibus claims or pension bills), and no amendment to any bill or resolution, authorizing or directing (1) the payment of money for property damages, for personal injuries or death for which suit may be instituted under the Federal Tort Claims Act, or for a pension (other than to carry out a provision of law or treaty stipulation); (2) the construction of a bridge across a navigable stream; or (3) the correction of a military or naval record, shall be received or considered in either the Senate or the House of Representatives.

(Aug. 2, 1946, ch. 753, title I, § 131, 60 Stat. 831.)

REFERENCES IN TEXT

The Federal Tort Claims Act, referred to in the text, is classified to sections 1346(b) and 2671 et seq. of Title 28, Judiciary and Judicial Procedure.

EFFECTIVE DATE

Section effective Jan. 2, 1947, see section 142 of act Aug. 2, 1946, set out as a note under section 190 of this title.

§ 190h. Repealed. S. Res. 9, § 2, Nov. 5, 1975

Section, Pub. L. 91-510, title II, § 242(a), Oct. 26, 1970, 84 Stat. 1171, provided that each meeting conducted by the Senate Committee on Appropriations be open to the public except when the testimony to be taken might relate to a matter of national security, tend to reflect adversely on the character or reputation of the witness or other individual, or divulge matters deemed confidential under other provisions of law or regulations.

§ 190i. Action and procedure of Committee on Appropriations of the Senate; concurrence of majority members present; proxy voting; ratification of action taken; tabulation of votes; proxy voting and quorum rules

The vote of the Committee on Appropriations of the Senate to report a measure or matter shall require the concurrence of a majority of the members of the committee who are present. No vote of any member of such committee to report a measure or matter may be cast by proxy if rules adopted by such committee forbid the casting of votes for that purpose by proxy; however, proxies shall not be voted for such purpose except when the absent committee member has been informed on the matter on which he is being recorded and has affirmatively requested that he be so recorded. Action by such committee in reporting any measure or matter in accordance with the requirements of this section shall constitute the ratification by the committee of all action theretofore taken by the committee with respect to that measure or matter, including votes taken upon the measure or matter or any amendment thereto, and no point of order shall lie with respect to that measure or matter on the ground that such previous action with respect thereto by such committee was not taken in compliance with such requirements. Whenever such committee by rollcall vote reports any measure or matter, the report of the committee upon such measure or matter shall include a tabulation of the votes cast in favor of and the votes cast in opposition to such measures or matter by each member of the committee. Nothing contained in this section shall abrogate the power of the committee to adopt rules—

(1) providing for proxy voting on all matters other than the reporting of a measure or matter, or

(2) providing in accordance with the Standing Rules of the Senate for a lesser number as a quorum for any action other than the reporting of a measure or matter.

(Pub. L. 91-510, title II, § 243, Oct. 26, 1970, 84 Stat. 1173.)

EFFECTIVE DATE

Section effective immediately prior to noon on Jan. 3, 1971, see section 601(1) of Pub. L. 91-510, set out as a note under section 72a of this title.

§ 190j. Cost estimates in reports of Senate committees accompanying certain legislative measures; Committee on Appropriations exception; report information; Senate members of Joint Committee on Atomic Energy as members of committee of Senate

(1) The report accompanying each bill or joint resolution of a public character reported by any committee of the Senate (except the Committee on Appropriations) shall contain—

(A) an estimate, made by such committee, of the costs which would be incurred in carrying out such bill or joint resolution in the fiscal year in which it is reported and in each of the five fiscal years following such fiscal year (or for the authorized duration of any program authorized by such bill or joint resolution, if less than five years), except that, in the case of measures affecting the revenues, such reports shall require only an estimate of the gain or loss in revenues for a one-year period; and

(B) a comparison of the estimate of costs described in subparagraph (A) made by such committee with any estimate of costs made by any Federal agency; or

(C) in lieu of such estimate or comparison, or both, a statement of the reasons why com-

pliance by the committee with the requirements of subparagraph (A) or (B), or both, is impracticable.

(2) It shall not be in order in the Senate to consider any such bill or joint resolution if such bill or joint resolution was reported in the Senate after the effective date of this section and the report of that committee of the Senate which reported such bill or joint resolution does not comply with the provisions of paragraph (1) of this section.

(3) For the purposes of this section, the members of the Joint Committee on Atomic Energy who are Members of the Senate shall be deemed to be a committee of the Senate.

(Pub. L. 91-510, title II, § 252(a), Oct. 26, 1970, 84 Stat. 1173.)

EFFECTIVE DATE

Section effective immediately prior to noon on Jan. 3, 1971, see section 601(1) of Pub. L. 91-510, set out as a note under section 72a of this title.

§ 190k. Appropriations on annual basis for continuing programs and activities; review by Senate and joint committees; Committee on Appropriations of the Senate, exception

(a) Each committee of the Senate (except the Committee on Appropriations), and each joint committee of the two Houses of Congress, which is authorized to receive, report, and recommend the enactment of bills and joint resolutions shall, in its consideration of all bills and joint resolutions of a public character within its jurisdiction, endeavor to insure that—

(1) all continuing programs of the Federal Government and of the government of the District of Columbia, within the jurisdiction of such committee or joint committee, are designed; and

(2) all continuing activities of Federal agencies, within the jurisdiction of such committee or joint committee, are carried on;

so that, to the extent consistent with the nature, requirements, and objectives of those programs and activities, appropriations therefor will be made annually.

(b) Each committee of the Senate (except the Committee on Appropriations), and each joint committee of the two Houses of Congress which is authorized to receive, report, and recommend the enactment of, bills and joint resolutions with respect to any continuing program within its jurisdiction for which appropriations are not made annually, shall review such program, from time to time, in order to ascertain whether such program could be modified so that appropriations therefor would be made annually.

(Pub. L. 91-510, title II, § 253(a), (b), Oct. 26, 1970, 84 Stat. 1174.)

EFFECTIVE DATE

Section effective immediately prior to noon on Jan. 3, 1971, see section 601(1) of Pub. L. 91-510, set out as a note under section 72a of this title.

§ 191. Oaths to witnesses

The President of the Senate, the Speaker of the House of Representatives, or a chairman of any joint committee established by a joint or concurrent resolution of the two Houses of Congress, or of a committee of the whole, or of any committee of either House of Congress, is empowered to administer oaths to witnesses in any case under their examination.

Any member of either House of Congress may administer oaths to witnesses in any matter depending in either House of Congress of which he is a Member, or any committee thereof.

(R.S. § 101; June 26, 1884, ch. 123, 23 Stat. 60; June 22, 1938, ch. 594, 52 Stat. 942, 943.)

CODIFICATION

R.S. § 101 constitutes first sentence, and act June 26, 1884, constitutes second sentence.

PRIOR PROVISIONS

Acts May 3, 1798, ch. 36, § 1, 1 Stat. 554, and Feb. 8, 1817, ch. 10, 3 Stat. 345.

AMENDMENTS

1938—Act June 22, 1938, reenacted section without change.

CROSS REFERENCES

Presiding officer of Senate, power to administer oaths, see section 23 of this title.

Secretary of Senate or assistant secretary, power to administer oaths, see section 24 of this title.

§ 192. Refusal of witness to testify or produce papers

Every person who having been summoned as a witness by the authority of either House of Congress to give testimony or to produce papers upon any matter under inquiry before either House, or any joint committee established by a joint or concurrent resolution of the two Houses of Congress, or any committee of either House of Congress, willfully makes default, or who, having appeared, refuses to answer any question pertinent to the question under inquiry, shall be deemed guilty of a misdemeanor, punishable by a fine of not more than $1,000 nor less than $100 and imprisonment in a common jail for not less than one month nor more than twelve months.

(R.S. § 102; June 22, 1938, ch. 594, 52 Stat. 942.)

PRIOR PROVISIONS

Act Jan. 24, 1857, ch. 19, § 1, 11 Stat. 155.

AMENDMENTS

1938—Act June 22, 1938, reenacted section without change.

CROSS REFERENCES

Minor offenses tried by United States magistrates as excluding offenses punishable under this section, see section 3401 of Title 18, Crimes and Criminal Procedure.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 194 of this title; title 18 section 3401; title 25 section 640; title 42 section 2254; title 43 section 1398; title 50 App. section 2162.

§ 193. Privilege of witnesses

No witness is privileged to refuse to testify to any fact, or to produce any paper, respecting which he shall be examined by either House of Congress, or by any joint committee established by a joint or concurrent resolution of the two

Houses of Congress, or by any committee of either House, upon the ground that his testimony to such fact or his production of such paper may tend to disgrace him or otherwise render him infamous.

(R.S. § 103; June 22, 1938, ch. 594, 52 Stat. 942.)

PRIOR PROVISIONS

Act Jan. 24, 1862, ch. 11, 12 Stat. 333.

AMENDMENTS

1938—Act June 22, 1938, reenacted section without change.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in title 25 section 640; title 42 section 2254; title 43 section 1398; title 50 App. section 2162.

§ 194. Certification of failure to testify or produce; grand jury action

Whenever a witness summoned as mentioned in section 192 of this title fails to appear to testify or fails to produce any books, papers, records, or documents, as required, or whenever any witness so summoned refuses to answer any question pertinent to the subject under inquiry before either House, or any joint committee established by a joint or concurrent resolution of the two Houses of Congress, or any committee or subcommittee of either House of Congress, and the fact of such failure or failures is reported to either House while Congress is in session or when Congress is not in session, a statement of fact constituting such failure is reported to and filed with the President of the Senate or the Speaker of the House, it shall be the duty of the said President of the Senate or Speaker of the House, as the case may be, to certify, and he shall so certify, the statement of facts aforesaid under the seal of the Senate or House, as the case may be, to the appropriate United States attorney, whose duty it shall be to bring the matter before the grand jury for its action.

(R.S. § 104; July 13, 1936, ch. 884, 49 Stat. 2041; June 22, 1938, ch. 594, 52 Stat. 942.)

PRIOR PROVISIONS

Act Jan. 24, 1857, ch. 19, § 3, 11 Stat. 156.

AMENDMENTS

1938—Act June 22, 1938, substituted "section 102" for "section 102 of the Revised Statutes" and inserted "or any joint committee established by a joint or concurrent resolution of the two Houses of Congress".

1936—Act July 13, 1936, substituted "section 102 of the Revised Statutes" for "section 102", inserted provisions as to failure to produce and refusal to answer, required a statement of facts constituting the failure to be reported to and filed with the President of the Senate or the Speaker of the House, and directed that said President or Speaker certify the facts to the appropriate United States attorney in lieu of prior certification to the district attorney for the District of Columbia.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in title 25 section 640; title 42 section 2254; title 43 section 1398; title 50 App. section 2162.

§ 194a. Request by Congressional committees to officers or employees of Federal departments, agencies, etc., concerned with foreign countries or multilateral organizations for expression of views and opinions

Upon the request of a committee of either House of Congress, a joint committee of Congress, or a member of such committee, any officer or employee of the Department of State, the United States Information Agency, the Agency for International Development, the United States Arms Control and Disarmament Agency, or any other department, agency, or independent establishment of the United States Government primarily concerned with matters relating to foreign countries or multilateral organizations may express his views and opinions, and make recommendations he considers appropriate, if the request of the committee or member of the committee relates to a subject which is within the jurisdiction of that committee.

(Pub. L. 92-352, title V, § 502, July 13, 1972, 86 Stat. 496; Pub. L. 93-126, § 17, Oct. 18, 1973, 87 Stat. 455.)

AMENDMENTS

1973—Pub. L. 93-126 substituted "or employee of" for "appointed by the President, by and with the advice and consent of the Senate, to a position in".

§ 195. Fees of witnesses in District of Columbia

Witnesses residing in the District of Columbia and not in the service of the government of said District or of the United States, who shall be summoned to give testimony before any committee of the House of Representatives, shall not be allowed exceeding $2 for each day's attendance before said committee.

(May 1, 1876, ch. 88, 19 Stat. 41.)

HOUSE RULE ON PAY OF WITNESSES

Rule XXXV, Rules of the House of Representatives, provides that: "The rule for paying witnesses to appear before the House or any of its committees shall be as follows: For each day a witness shall attend, the same per diem rate as established, authorized, and regulated by the Committee on House Administration for Members and employees of the House, and actual expenses of travel in coming to or going from the place of examination; but no per diem shall be paid when a witness has been summoned at the place of examination."

§ 195a. Restriction on payment of witness fees or travel and subsistence expenses to persons subpenaed by Congressional committees

No part of any appropriation disbursed by the Secretary of the Senate shall be available on and after July 12, 1960, for the payment to any person, at the time of the service upon him of a subpena requiring his attendance at any inquiry or hearing conducted by any committee of the Congress or of the Senate or any subcommittee of any such committee, of any witness fee or any sum of money as an advance payment of any travel or subsistence expense which may be incurred by such person in responding to that subpena.

(Pub. L. 86-628, § 101, July 12, 1960, 74 Stat. 449.)

§ 195b. Fees for witnesses requested to appear before Majority Policy Committee or Minority Policy Committee

Any witness requested to appear before the Majority Policy Committee or the Minority Policy Committee shall be entitled to a witness fee for each full day spent in traveling to and from the place at which he is to appear, and reimbursement of actual and necessary transportation expenses incurred in traveling to and from that place, at rates not to exceed those rates paid witnesses appearing before committees of the Senate.

(Pub. L. 93-371, § 101(7), Aug. 13, 1974, 88 Stat. 431.)

§ 196. Senate resolutions for investigations; limit of cost

Senate resolutions providing for inquiries and investigations shall contain a limit of cost of such investigation, which limit shall not be exceeded except by vote of the Senate authorizing additional amounts.

(Mar. 3, 1926, ch. 44, § 1, 44 Stat. 162.)

§ 197. Compensation of employees

The rate of compensation for any position under the appropriations now available for, or hereafter made for, expenses of inquiries and investigations of the Senate or expenses of special and select committees of the House of Representatives shall not exceed the rates fixed under chapter 51 and subchapter III of chapter 53 of title 5, for positions with comparable duties; and the salary limitations of $3,600 attached to appropriations heretofore made for expenses of inquiries and investigations of the Senate or for expenses of special and select committees of the House of Representatives are repealed.

(Feb. 9, 1937, ch. 9, title I, § 1, 50 Stat. 9; Oct. 28, 1949, ch. 782, title XI, § 1106(a), 63 Stat. 972.)

CODIFICATION

"Chapter 51 and subchapter III of chapter 53 of title 5" was substituted for "the Classification Act of 1949" on authority of section 7(b) of Pub. L. 89-554, Sept. 6, 1966, 80 Stat. 631, section 1 of which enacted Title 5, Government Organization and Employees.

AMENDMENTS

1949—Act Oct. 28, 1949, substituted "Classification Act of 1949" for "Classification Act of 1923".

REPEALS

Act Oct. 28, 1949, ch. 782, title XI, § 1106(a), 63 Stat. 972, set out in the credit of this section, was repealed (subject to a savings clause) by Pub. L. 89-554, Sept. 6, 1966, § 8, 80 Stat. 632, 655.

§ 198. Adjournment

(a) Unless otherwise provided by the Congress, the two Houses shall—

(1) adjourn sine die not later than July 31 of each year; or

(2) in the case of an odd-numbered year, provide, not later than July 31 of such year, by concurrent resolution adopted in each House by roll-call vote, for the adjournment of the two Houses from that Friday in August which occurs at least thirty days before the first Monday in September (Labor Day) of such year to the second day after Labor Day.

(b) This section shall not be applicable in any year if on July 31 of such year a state of war exists pursuant to a declaration of war by the Congress.

(Aug. 2, 1946, ch. 753, title I, § 132, 60 Stat. 831; Oct. 26, 1970, Pub. L. 91-510, title IV, § 461(b), 84 Stat. 1193.)

AMENDMENTS

1970—Pub. L. 91-510, in revising the provisions, incorporated existing subject matter in subsec. (a)(1), substituted therein an adjournment date not later than July 31 of each year for prior provision for a date not later than last day (Sundays excepted) in month of July in each year, added subsec. (a)(2), added subsec. (b), which incorporated former exception to adjournment in time of war, and deleted another exception to adjournment during national emergency proclaimed by the President.

EFFECTIVE DATE OF 1970 AMENDMENT

Amendment by Pub. L. 91-510 effective immediately prior to noon on Jan. 3, 1971, see section 601(1) of Pub. L. 91-510, set out as a note under section 72a of this title.

EFFECTIVE DATE

Section effective Jan. 2, 1947, see section 142 of act Aug. 2, 1946, set out as a note under section 190 of this title.

CHAPTER 7—CONTESTED ELECTIONS

§§ 201 to 226. Repealed. Pub. L. 91-138, § 18, Dec. 5, 1969, 83 Stat. 290

The subject matter of former sections 201 to 226 of this title is now covered generally by chapter 12 of this title.

Section 201, R.S. § 105, provided that whenever any person intended to contest an election of any member of the House of Representatives he had to give notice in writing to that member within thirty days of the result of such election.

Section 202, R.S. § 106, provided that a member of the House of Representatives whose election was contested serve an answer within thirty days after service of notice upon him.

Section 203, R.S. § 107; Mar. 2, 1875, c. 119, § 2 18 Stat. 338, provided the time and order for taking testimony.

Section 204, R.S. § 108, provided for the taking of depositions upon notice to the other party.

Section 205, R.S. § 109, provided that testimony in contested election cases could be taken at two or more places at the same time.

Section 206, R.S. § 110; June 7, 1878, ch. 160, 20 Stat. 99; July 1, 1898, ch. 541, § 38, 30 Stat. 555, made provision for the issuance of subpoenas by specified officers.

Section 207, R.S. § 111, set forth the requisite contents of subpoenas.

Section 208, R.S. § 112, authorized the issuance of subpoenas by justices of the peace.

Section 209, R.S. § 113, made provision for the taking of depositions by written consent.

Section 210, R.S. § 114, required that each witness be served with a subpoena at least five days prior to the date he was required to attend.

Section 211, R.S. § 115, exempted witness from attendance at examinations out of the county in which they resided or were served with a subpoena.

Section 212, R.S. § 116, mandated a $20 penalty to be recovered by the party issuing the subpoena, and a possible indictment for a misdemeanor, for failure of

the party summoned to attend or testify, unless prevented by sickness or unavoidable necessity.

Section 213, R.S. § 117, provided that depositions of witnesses residing outside the district be taken before any officer authorized to take testimony in contested election cases in the district in which the witness resided.

Section 214, R.S. § 118, required the selection of qualified officers to officiate jointly with the officer named in the notice.

Section 215, R.S. § 119, provided that at the taking of any deposition under this chapter, either party could appear and act in person, or by agent or attorney.

Section 216, R.S. § 120, made provision for the examination of witnesses through the device of taking their depositions before a qualified officer.

Section 217, R.S. § 121, provided that the testimony to be taken by either party be confined to the proof or disproof of the facts alleged or denied in the notice and answer.

Section 218, R.S. § 122, required the officer to reduce to writing the testimony of the witnesses, together with questions proposed by the parties, and have this writing duly attested by the witnesses.

Section 219, R.S. § 123, empowered the officer to require the production of papers.

Section 220, R.S. § 124, provided that the taking of testimony might, if so stated in the notice, be adjourned from day to day.

Section 221, R.S. § 125, provided that the notice to take depositions, with proof of service thereof, and a copy of the subpoena, where one has been served, be attached to the depositions when completed.

Section 222, R.S. § 126, provided that a copy of the notice of contest and of the answer of the returned member, be prefixed to the depositions taken and transmitted with them to the Clerk of the House of Representatives.

Section 223, R.S. § 127; Mar. 2, 1875, ch. 119, § 1, 18 Stat. 338; Mar. 2, 1887, ch. 318, 24 Stat. 445, covered the procedure followed by the Clerk of the House of Representatives once the sealed testimony was forwarded to him by the officer who took the testimony.

Section 224, R.S. § 128, fixed witness fees to be paid by the party at whose instance the witness was summoned.

Section 225, R.S. § 129, provided that each officer employed pursuant to this chapter be entitled to receive from the party who employed him, such fees as were allowed for similar services in the state wherein such service was rendered.

Section 226, R.S. § 130; Mar. 3, 1879, ch. 182, § 1, 20 Stat. 400, limited payments of expenses to contestee or contestant to $2,000, and then, only upon filing of a detailed account of expenses with the Clerk of the Committee on Elections.

EFFECTIVE DATE OF REPEAL

Repeal of sections 201 to 226 of this title by Pub. L. 91-138 applicable with respect to any general or special election for Representative in, or Resident Commissioner to, the Congress of the United States occurring after December 5, 1969, see section 19 of Pub. L. 91-138, set out as a note under section 381 of this title.

CHAPTER 8—FEDERAL CORRUPT PRACTICES

§§ 241 to 248. Repealed. Pub. L. 92-225, title IV, § 405, Feb. 7, 1972, 86 Stat. 20

Sections, act Feb. 28, 1925, ch. 368, title III, §§ 302 to 309, 43 Stat. 1070 to 1073, provided for:

Section 241, amended Dec. 23, 1971, Pub. L. 92-220, § 2, 85 Stat. 795, definitions;

Section 242, chairman and treasurer of political committees, duties as to contributions, and accounts and receipts;

Section 243, accounts of contributions received;

Section 244, statements by treasurer filed with Clerk of House of Representatives;

Section 245, statements by others than political committee filed with Clerk of House of Representatives;

Section 246, statements by candidates for Senator, Representative, Delegate, or Resident Commissioner filed with Secretary of Senate and Clerk of House of Representatives;

Section 247, statements: verification, preservation, and inspection; and

Section 248, limitation upon amount of expenditures by candidate.

Such former provisions are now superseded by provisions of this title as follows:

Former Provisions	*Present Provisions*
241(a), (b)	431(a), (b)
241(c)	431(d)
241(d), (e)	431(e)(1), (2), (f)(1), (2)
241(f)	431(h)
241(g), (h)	431(g)
241(i)	431(i)
242(a)	432(a)
242(b)(1)-(4)	432(c)(1)-(4)
242(c)	432(d)
243	432(b)
244(a)	434(a)
244(a)(1), (2)	434(b)(2), (3)
244(a)(3)	See 434(b)(3)
244(a)(4)	434(b)(9)
244(a)(5)	434(b)(11)
244(a)(6)	See 434(b)(11)
244(b)	434(c)
244(c)	See 434(a)
245	435
246(a)	434(a)
246(a)(1)	See 434(b)(2)
246(a)(2)	See 434(b)(10)
246(a)(3)	Repealed. See T. 18 § 600
246(b)	434(c)
246(c)	Repealed
247(a)	436(a)
247(b)	Repealed
247(c)	438(a)(4), (5)
248(a)	Repealed. See T. 18 § 608
248(b)(1)	Repealed. See T. 18 § 608(a)(1)(B)(C)
248(b)(2)	Repealed
248(c)	Repealed

EFFECTIVE DATE OF REPEAL

Sections repealed effective 60 days after Feb. 7, 1972, see section 406 of Pub. L. 92-225, set out as a note under section 431 of this title.

§§ 249 to 251. Repealed. June 25, 1948, ch. 645, § 21, 62 Stat. 862, eff. Sept. 1, 1948

Section 249, act Feb. 28, 1925, ch. 368, title III, § 310, 43 Stat. 1073, related to promises or pledges by candidates, and is now covered by section 599 of Title 18, Crimes and Criminal Procedure.

Section 250, act Feb. 28, 1925, ch. 368, title III, § 311, 43 Stat. 1073, related to expenditures to influence voting, and is now covered by section 597 of Title 18, Crimes and Criminal Procedure.

Section 251, acts Feb. 28, 1925, ch. 368, title III, § 313, 43 Stat. 1074; June 25, 1943, c. 144, § 9, 57 Stat. 167; June 23, 1947, ch. 120, title III, § 304, 61 Stat. 159, related to political contributions by national banks, corporations, or labor unions, and is now covered by section 610 of Title 18, Crimes and Criminal Procedure.

§§ 252 to 256. Repealed. Pub. L. 92-225, title IV, § 405, Feb. 7, 1972, 86 Stat. 20

Sections 252 to 255, act Feb. 28, 1925, ch. 368, title III, §§ 314 to 317, 43 Stat. 1074, provided for general penalties for violations, expenses of election contests, no effect on State laws, and partial invalidity.

Section 256, act Feb. 28, 1925, ch. 368, title III, § 301, 43 Stat. 1070, provided for citation of act Feb. 28, 1925, as the "Federal Corrupt Practices Act."

Such former provisions are now superseded by provisions of this title as follows:

Former Provisions	*Present Provisions*
252(a)	441(a)
252(b)	Repealed
253	Repealed
254	453(a)
255	454
256	431 nt.

EFFECTIVE DATE OF REPEAL

Sections repealed effective 60 days after Feb. 7, 1972, see section 406 of Pub. L. 92-225, set out as a note under section 431 of this title.

CHAPTER 8A—REGULATION OF LOBBYING

Sec.
261. Definitions.
262. Detailed accounts of contributions; retention of receipted bills of expenditures.
263. Receipts for contributions.
264. Statements of accounts filed with Clerk of House.
265. Preservation of statements.
266. Persons to whom chapter is applicable.
267. Registration of lobbyists with Secretary of the Senate and Clerk of House; compilation of information.
268. Reports and statements under oath.
269. Penalties and prohibitions.
270. Exemptions from chapter.

CROSS REFERENCES

Hatch Political Activity Act to restrain pernicious political activity, see sections 594, 595, 598, 600, 601, 604, 605, 608, 611, and 1918 of Title 18, Crimes and Criminal Procedure, and sections 1302, 1303, 1501 et seq., 3333, 7311, and 7324 et seq. of Title 5, Government Organization and Employees.

§ 261. Definitions

When used in this chapter—

(a) The term "contribution" includes a gift, subscription, loan, advance, or deposit of money or anything of value and includes a contract, promise, or agreement, whether or not legally enforceable, to make a contribution.

(b) The term "expenditure" includes a payment, distribution, loan, advance, deposit, or gift of money or anything of value, and includes a contract, promise, or agreement, whether or not legally enforceable, to make an expenditure.

(c) The term "person" includes an individual, partnership, committee, association, corporation, and any other organization or group of persons.

(d) The term "Clerk" means the Clerk of the House of Representatives of the United States.

(e) The term "legislation" means bills, resolutions, amendments, nominations, and other matters pending or proposed in either House of Congress, and includes any other matter which may be the subject of action by either House.

(Aug. 2, 1946, ch. 753, title III, § 302, 60 Stat. 839.)

AUTHORIZATION OF APPROPRIATIONS

Section 244 of act Aug. 2, 1946, provided in part: "All necessary funds required to carry out the provisions of this Act [Legislative Reorganization Act of 1946], by the Secretary of the Senate and the Clerk of the House, are hereby authorized to be appropriated."

Section 244 was made effective as of Aug. 2, 1946, by section 245 of said act Aug. 2, 1946.

For distribution of Legislative Reorganization Act of 1946 in this Code, see "Short Title" note under section 72a of this title.

SHORT TITLE

Section 301 of act Aug. 2, 1946, provided that act Aug. 2, 1946, which is classified to sections 261 to 270 of this title, shall be popularly known as the "Federal Regulation of Lobbying Act".

§ 262. Detailed accounts of contributions; retention of receipted bills of expenditures

(a) It shall be the duty of every person who shall in any manner solicit or receive a contribution to any organization or fund for the purposes hereinafter designated to keep a detailed and exact account of—

(1) all contributions of any amount or of any value whatsoever;

(2) the name and address of every person making any such contribution of $500 or more and the date thereof;

(3) all expenditures made by or on behalf of such organization or fund; and

(4) the name and address of every person to whom any such expenditure is made and the date thereof.

(b) It shall be the duty of such person to obtain and keep a receipted bill, stating the particulars, for every expenditure of such funds exceeding $10 in amount, and to preserve all receipted bills and accounts required to be kept by this section for a period of at least two years from the date of the filing of the statement containing such items.

(Aug. 2, 1946, ch. 753, title III, § 303, 60 Stat. 840.)

§ 263. Receipts for contributions

Every individual who receives a contribution of $500 or more for any of the purposes hereinafter designated shall within five days after receipt thereof rendered[1] to the person or organization for which such contribution was received a detailed account thereof, including the name and address of the person making such contribution and the date on which received.

(Aug. 2, 1946, ch. 753, title III, § 304, 60 Stat. 840.)

§ 264. Statements of accounts filed with Clerk of House

(a) Every person receiving any contributions or expending any money for the purposes designated in subparagraph (a) or (b) of section 266 of this title shall file with the Clerk between the first and tenth day of each calendar quarter, a statement containing complete as of the day next preceding the date of filing—

(1) the name and address of each person who has made a contribution of $500 or more not mentioned in the preceding report; except that the first report filed pursuant to this chapter shall contain the name and address of each person who has made any contribution of $500 or more to such person since August 2, 1946;

(2) the total sum of the contributions made to or for such person during the calendar

[1] So in original. Probably should read "render".

year and not stated under paragraph (1) of this subsection;

(3) the total sum of all contributions made to or for such person during the calendar year;

(4) the name and address of each person to whom an expenditure in one or more items of the aggregate amount or value, within the calendar year, of $10 or more has been made by or on behalf of such person, and the amount, date, and purpose of such expenditure;

(5) the total sum of all expenditures made by or on behalf of such person during the calendar year and not stated under paragraph (4) of this subsection;

(6) the total sum of expenditures made by or on behalf of such person during the calendar year.

(b) The statements required to be filed by subsection (a) of this section shall be cumulative during the calendar year to which they relate, but where there has been no change in an item reported in a previous statement only the amount need be carried forward.

(Aug. 2, 1946, ch. 753, title III, § 305, 60 Stat. 840.)

§ 265. Preservation of statements

A statement required by this chapter to be filed with the Clerk—

(a) shall be deemed properly filed when deposited in an established post office within the prescribed time, duly stamped, registered, and directed to the Clerk of the House of Representatives of the United States, Washington, District of Columbia, but in the event it is not received, a duplicate of such statement shall be promptly filed upon notice by the Clerk of its nonreceipt;

(b) shall be preserved by the Clerk for a period of two years from the date of filing, shall constitute part of the public records of his office, and shall be open to public inspection.

(Aug. 2, 1946, ch. 753, title III, § 306, 60 Stat. 841.)

§ 266. Persons to whom chapter is applicable

The provisions of this chapter shall apply to any person (except a political committee as defined in the Federal Corrupt Practices Act, and duly organized State or local committees of a political party), who by himself, or through any agent or employee or other persons in any manner whatsoever, directly or indirectly, solicits, collects, or receives money or any other thing of value to be used principally to aid, or the principal purpose of which person is to aid, in the accomplishment of any of the following purposes:

(a) The passage or defeat of any legislation by the Congress of the United States.

(b) To influence, directly or indirectly, the passage or defeat of any legislation by the Congress of the United States.

(Aug. 2, 1946, ch. 753, title III, § 307, 60 Stat. 841.)

References in Text

The Federal Corrupt Practices Act, referred to in the text, is act Feb. 28, 1925, ch. 368, title III, §§ 301 to 317, 43 Stat. 1070, which was classified to former section 241 et seq. of this title and is now covered by section 431 et seq. of this title.

Section Referred to in Other Sections

This section is referred to in section 264 of this title.

§ 267. Registration of lobbyists with Secretary of the Senate and Clerk of House; compilation of information

(a) Any person who shall engage himself for pay or for any consideration for the purpose of attempting to influence the passage or defeat of any legislation by the Congress of the United States shall, before doing anything in furtherance of such object, register with the Clerk of the House of Representatives and the Secretary of the Senate and shall give to those officers in writing and under oath, his name and business address, the name and address of the person by whom he is employed, and in whose interest he appears or works, the duration of such employment, how much he is paid and is to receive, by whom he is paid or is to be paid, how much he is to be paid for expenses, and what expenses are to be included. Each such person so registering shall, between the first and tenth day of each calendar quarter, so long as his activity continues, file with the Clerk and Secretary a detailed report under oath of all money received and expended by him during the preceding calendar quarter in carrying on his work; to whom paid; for what purposes; and the names of any papers, periodicals, magazines, or other publications in which he has caused to be published any articles or editorials; and the proposed legislation he is employed to support or oppose. The provisions of this section shall not apply to any person who merely appears before a committee of the Congress of the United States in support of or opposition to legislation; nor to any public official acting in his official capacity; nor in the case of any newspaper or other regularly published periodical (including any individual who owns, publishes, or is employed by any such newspaper or periodical) which in the ordinary course of business publishes news items, editorials, or other comments, or paid advertisements, which directly or indirectly urge the passage or defeat of legislation, if such newspaper, periodical, or individual, engages in no further or other activities in connection with the passage or defeat of such legislation, other than to appear before a committee of the Congress of the United States in support of or in opposition to such legislation.

(b) All information required to be filed under the provisions of this section with the Clerk of the House of Representatives and the Secretary of the Senate shall be compiled by said Clerk and Secretary, acting jointly, as soon as practicable after the close of the calendar quarter with respect to which such information is filed and shall be printed in the Congressional Record.

(Aug. 2, 1946, ch. 753, title III, § 308, 60 Stat. 841.)

§ 268. Reports and statements under oath

All reports and statements required under this chapter shall be made under oath, before an officer authorized by law to administer oaths.

(Aug. 2, 1946, ch. 753, title III, § 309, 60 Stat. 842.)

§ 269. Penalties and prohibitions

(a) Any person who violates any of the provisions of this chapter, shall, upon conviction, be guilty of a misdemeanor, and shall be punished by a fine of not more than $5,000 or imprisonment for not more than twelve months, or by both such fine and imprisonment.

(b) In addition to the penalties provided for in subsection (a) of this section, any person convicted of the misdemeanor specified therein is prohibited, for a period of three years from the date of such conviction, from attempting to influence, directly or indirectly, the passage or defeat of any proposed legislation or from appearing before a committee of the Congress in support of or opposition to proposed legislation; and any person who violates any provision of this subsection shall, upon conviction thereof, be guilty of a felony, and shall be punished by a fine of not more than $10,000, or imprisonment for not more than five years, or by both such fine and imprisonment.

(Aug. 2, 1946, ch. 753, title III, § 310, 60 Stat. 842.)

§ 270. Exemptions from chapter

The provisions of this chapter shall not apply to practices or activities regulated by the Federal Corrupt Practices Act nor be construed as repealing any portion of said Federal Corrupt Practices Act.

(Aug. 2, 1946, ch. 753, title III, § 311, 60 Stat. 842.)

REFERENCES IN TEXT

The Federal Corrupt Practices Act, referred to in the text, is act Feb. 28, 1925, ch. 368, title III, §§ 301 to 317, 43 Stat. 1070, which was classified to former section 241 et seq. of this title and is now covered by section 431 et seq. of this title.

CHAPTER 9—OFFICE OF LEGISLATIVE COUNSEL

SUBCHAPTER I—SENATE

Sec.
271. Creation of Office.
272. Appointment of Legislative Counsel; qualifications.
273. Compensation of Legislative Counsel.
274. Assistant Legislative Counsel; clerks and employees; office equipment and supplies.
275. Duties of Office; rules and regulations.
276. Disbursement of appropriations.
277. Repealed.

SUBCHAPTER II—HOUSE OF REPRESENTATIVES

PART I—PURPOSE, POLICY, AND FUNCTION

281. Establishment.
281a. Purpose and policy.
281b. Functions.

PART II—ADMINISTRATION

282. Legislative Counsel; appointment; period of service.
282a. Staff; delegation of functions.
282b. Compensation.
282c. Expenditures.
282d. Official mail matter.
282e. Authorization of appropriations.

CHANGES IN NAMES

Act June 2, 1924, ch. 234, § 1101, 43 Stat. 353, classified to sections 271 to 277 of this title, changed legislative drafting service to office of the legislative counsel, and draftsman to legislative counsel.

SUBCHAPTER I—SENATE

§ 271. Creation of Office

There shall be in the Senate an office to be known as the Office of the Legislative Counsel, and to be under the direction of the Legislative Counsel of the Senate.

(Feb. 24, 1919, ch. 18, § 1303(a), (d), 40 Stat. 1141; June 2, 1924, ch. 234, § 1101, 43 Stat. 353.)

CODIFICATION

As originally enacted, section provided for creation of an office of the legislative counsel to be under the direction of two legislative counsels. In view of nonapplicability of section to Speaker, employee, etc., of the House of Representatives pursuant to section 531 of Pub. L. 91-510, set out as a note under section 281 of this title, section has been revised to limit applicability to Senate and creation therein of Office of Legislative Counsel. See section 281 of this title for provisions establishing Office of the Legislative Counsel for the House of Representatives and section 282 of this title for provisions vesting management, etc., in the Legislative Counsel.

APPROPRIATIONS

Section 204 of act Aug. 2, 1946, ch. 753, 60 Stat. 812, provided:

"There is hereby authorized to be appropriated for the work of the Office of the Legislative Counsel the following sums:

"(1) For the fiscal year ending June 30, 1947, $150,000;

"(2) For the fiscal year ending June 30, 1948, $200,000;

"(3) For the fiscal year ending June 30, 1949, $250,000;

"(4) For the fiscal year ending June 30, 1950, $250,000; and

"(5) For each fiscal year thereafter such sums as may be necessary to carry on the work of the Office."

Section 204 was made effective Aug. 2, 1946, by section 245 of act Aug. 2, 1946.

§ 272. Appointment of Legislative Counsel; qualifications

The Legislative Counsel shall be appointed by the President pro tempore of the Senate, without reference to political affiliations and solely on the ground of fitness to perform the duties of the office.

(Feb. 24, 1919, ch. 18, § 1303(a), (d), 40 Stat. 1141; June 2, 1924, ch. 234, § 1101, 43 Stat. 353; Sept. 20, 1941, ch. 412, title VI, § 602, 55 Stat. 726.)

CODIFICATION

Provisions authorizing appointment of a legislative counsel for the House of Representatives by the Speaker were omitted in view of nonapplicability of section to Speaker, employee, etc., of the House of

Representatives pursuant to section 531 of Pub. L. 91-510, set out as a note under section 281 of this title. See section 282 of this title for provisions authorizing appointment, etc., of Legislative Counsel of the House.

AMENDMENTS

1941—Act Sept. 20, 1941, substituted "President pro tempore of the Senate" for "President of the Senate."

§ 273. Compensation of Legislative Counsel

The Legislative Counsel of the Senate shall be paid at an annual rate of compensation of $40,000.

(Feb. 24, 1919, ch. 18, § 1303(d), as added June 2, 1924, ch. 234, § 1101, 43 Stat. 353, and amended June 18, 1940, ch. 396, § 1, 54 Stat. 472; Sept. 20, 1941, ch. 412, title VI, § 602, 55 Stat. 726; Oct. 15, 1949, ch. 695, § 6(c), 63 Stat. 881; Aug. 5, 1955, ch. 568, §§ 9, 101, 69 Stat. 509, 514; July 1, 1957, Pub. L. 85-75, § 101, 71 Stat. 250; Aug. 14, 1964, Pub. L. 88-426, title II, § 203(g), 78 Stat. 415; Aug. 13, 1974, Pub. L. 93-371, § 101(4), 88 Stat. 429; July 25, 1975, Pub. L. 94-59, title I, § 105, 89 Stat. 275.)

CODIFICATION

Provisions setting forth authority for the allocation of the positions of legislative counsel to the appropriate grade in the compensation schedules of former section 1112 of Title 5 and the setting of rates of compensation thereunder by the President pro tempore of the Senate and the Speaker of the House of Representatives and prescribing the annual rate of compensation of the Legislative Counsel of the House of Representatives as an amount equal to $15,000, increased by an amount which is the same percentage of $15,000 as the percentage set forth in section 4(c) of the Federal Employees Salary Increase Act of 1955 were omitted in view of nonapplicability of section to Speaker, employee, etc., of the House of Representatives pursuant to section 531 of Pub. L. 91-510, set out as a note under section 281 of this title. See section 282b of this title for provisions setting forth compensation of Legislative Counsel of House of Representatives.

AMENDMENTS

1975—Pub. L. 94-59 substituted "an annual rate of compensation of $40,000" for "a gross annual compensation of $38,760 per annum" as the rate of compensation of the Legislative Counsel of the Senate.

1974—Pub. L. 93-371 substituted provisions authorizing the Legislative Counsel of the Senate to be paid at an annual rate of compensation of $38,760, for provisions setting forth the gross annual compensation of the Legislative Counsel as $27,500 per annum.

1964—Pub. L. 88-426 provided that the compensation of the Legislative Counsel of the Senate shall be at the rate of $27,500 per annum.

1957—Pub. L. 85-75 increased the gross compensation of the Legislative Counsel of the Senate from $15,500 to $17,500 per annum.

1955—Act Aug. 5, 1955, increased the compensation of the legislative counsel of the Senate from a basic compensation of $12,000, to a gross annual compensation of $15,500, and the compensation of the legislative counsel of the House was increased from a basic compensation of $12,000 to an annual rate of compensation of $15,000 increased by the percentage set forth in section 4 (c) of the Federal Employees Salary Increase Act of 1955.

1949—Act Oct. 15, 1949, increased the compensation of the legislative counsel of both House and the Senate from $10,000 to $12,000 per annum.

1941—Act Sept. 20, 1941, substituted "President protempore of the Senate" for "President of the Senate".

1940—Act June 18, 1940, provided that thereafter the compensation of the Legislative Counsel of the Senate shall be at the rate of $10,000 per annum so long as the present incumbent held the position.

EFFECTIVE DATE OF 1975 AMENDMENT

Section 105 of Pub. L. 94-59 provided in part that the increase in the rate of compensation of the Legislative Counsel of the Senate to $40,000 is effective July 1, 1975.

EFFECTIVE DATE OF 1974 AMENDMENT

Amendment by Pub. L. 93-371 effective July 1, 1974, see section 101(4) of Pub. L. 39-371, set out as a note under section 61a of this title.

EFFECTIVE DATE OF 1957 AMENDMENT

Section 101 of Pub. L. 85-75 provided in part that the increase in the gross compensation of the Legislative Counsel of the Senate shall be effective July 1, 1957.

EFFECTIVE DATE OF 1949 AMENDMENT

Section 9 of act Oct. 15, 1949, provided that: "This Act shall take effect on the first day of the first pay period which begins after the date of enactment of this Act [Oct. 15, 1949]."

REPEALS

Act Mar. 10, 1928, ch. 167, § 23(a), 45 Stat. 279, which amended this section, was repealed by Pub. L. 89-554, § 8(a), Sept. 6, 1966, 80 Stat. 647.

1974 ADJUSTMENT IN COMPENSATION NOT TO SUPERSEDE ADJUSTMENTS IN COMPENSATION OR LIMITATIONS BY PRESIDENT PRO TEMPORE OF THE SENATE

Adjustment in compensation by Pub. L. 93-371 not to supersede order of President Pro Tempore of the Senate authorizing higher rate of compensation or any authority of the President Pro Tempore to adjust rates of compensation or limitations under section 4 of the Federal Pay Comparability Act of 1970, see section 101(4) of Pub. L. 93-371, set out as a note under section 61a of this title.

INCREASES IN COMPENSATION

Increases in compensation for officers and employees of the Senate under authority of the Federal Pay Comparability Act of 1970 (Pub. L. 91-656), see Salary Directives of the President pro tempore of the Senate, set out as notes under section 60a-1 of this title.

CROSS REFERENCES

Increase in basic compensation rates, see section 60e-3 of this title.

Temporary additional compensation, see section 60e-4 of this title.

§ 274. Assistant Legislative Counsel; clerks and employees; office equipment and supplies

The Legislative Counsel shall, subject to the approval of the President pro tempore of the Senate, employ and fix the compensation of such Assistant Counsel, clerks, and other employees, and purchase such furniture, office equipment, books, stationery, and other supplies, as may be necessary for the proper performance of the duties of the Office and as may be appropriated for by Congress.

(Feb. 24, 1919, ch. 18, § 1303(a), (d), 40 Stat. 1141; June 2, 1924, ch. 234, § 1101, 43 Stat. 353; Sept. 20, 1941, ch. 412, title VI, § 602, 55 Stat. 726.)

CODIFICATION

As originally enacted, section also provided for legislative counsel of House of Representatives, subject to approval of Speaker, to employ and fix the compensa-

tion of assistant counsel, clerks, etc. In view of nonapplicability of section to Speaker, employee, etc., of the House of Representatives pursuant to section 531 of Pub. L. 91-510, set out as a note under section 281 of this title, section has been revised to limit applicability to authority of Legislative Counsel of the Senate. See section 282a et seq. of this title for provisions relating to appointment of staff, etc., for Office of Legislative Counsel in House of Representatives.

AMENDMENTS

1941—Act Sept. 20, 1941, substituted "President pro tempore of the Senate" for "President of the Senate".

SENIOR COUNSEL

Section 101 of Pub. L. 85-75, July 1, 1957, 71 Stat. 251, provided in part that: "No more than three employees in the Office of the Legislative Counsel of the Senate may be designated as Senior Counsel, whose compensation shall be $15,500 gross per annum each."

ADDITIONAL SENIOR COUNSEL

Section 101 of Pub. L. 88-248, Dec. 30, 1963, 77 Stat. 804, provided in part: "That effective July 1, 1963, one additional employee in the Office of the Legislative Counsel of the Senate may be designated as Senior Counsel, and the compensation of the additional employee so designated shall be equal to the gross per annum rate presently authorized for other employees so designated."

INCREASES IN COMPENSATION OF FOUR SENIOR COUNSELS

Pub. L. 94-59, title I, § 105, July 25, 1975, 89 Stat. 275, eff. July 1, 1975, provided in part that the four Senior Counsels in the Office of the Legislative Counsel of the Senate shall each be paid at an annual rate of compensation of $39,000.

Pub. L. 93-371 § 101(4), Aug. 13, 1974, 88 Stat. 429, eff. July 1, 1974, provided in part that the four Senior Counsels in the Office of the Legislative Counsel of the Senate shall each be paid at an annual rate of compensation of $37,620.

1974 ADJUSTMENT IN COMPENSATION NOT TO SUPERSEDE ADJUSTMENTS IN COMPENSATION OR LIMITATIONS BY PRESIDENT PRO TEMPORE OF THE SENATE

Adjustment in compensation by Pub. L. 93-371 not to supersede order of President pro tempore of the Senate authorizing higher rate of compensation or any authority of the President pro tempore to adjust rates of compensation or limitations under section 4 of the Federal Pay Comparability Act of 1970, see section 101(4) of Pub. L. 93-371, set out as a note under section 61a of this title.

INCREASES IN COMPENSATION

Increases in compensation for officers and employees of the Senate under authority of the Federal Pay Comparability Act of 1970 (Pub. L. 91-656), see Salary Directives of the President pro tempore of the Senate, set out as notes under section 60a-1 of this title.

CROSS REFERENCES

Increase in basic compensation rates, see section 60e-3 of this title.

Temporary additional compensation, see section 60e-4 of this title.

§ 275. Duties of Office; rules and regulations

The Office of the Legislative Counsel shall aid in drafting public bills and resolutions or amendments thereto on the request of any committee of the Senate but the Committee on Rules and Administration of the Senate may determine the preference, if any, to be given to such requests of the committees. The Legislative Counsel shall, from time to time, prescribe rules and regulations for the conduct of the work of the Office for the committees, subject to the approval of such Committee on Rules and Administration.

(Feb. 24, 1919, ch. 18, § 1303(b), (d), 40 Stat. 1141; June 2, 1924, ch. 234, § 1101, 43 Stat. 353; Aug. 2, 1946, ch. 753, title I, §§ 102, 121, 60 Stat. 814, 822.)

CODIFICATION

Provisions setting forth functions of office of legislative counsel with respect to the House of Representatives and the committees thereof were omitted in view of nonapplicability of section to Speaker, employee, etc., of the House of Representatives pursuant to section 531 of Pub. L. 91-510, set out as a note under section 281 of this title. See section 281b of this title for functions of Office of Legislative Counsel of House of Representatives.

AMENDMENTS

1946—Act Aug. 2, 1946, substituted "Committee on Rules and Administration" for "Library Committee of the Senate" and "Committee on House Administration" for "Library Committee of the House of Representatives".

§ 276. Disbursement of appropriations

All appropriations for the Office of the Legislative Counsel shall be disbursed by the Secretary of the Senate.

(Feb. 24, 1919, ch. 18, § 1303(c), (d), 40 Stat. 1141; June 2, 1924, ch. 234, § 1101, 43 Stat. 353.)

CODIFICATION

As originally enacted, section provided for disbursement of one-half of appropriations for office of legislative counsel by Secretary of Senate and one-half by Clerk of House of Representatives. In view of nonapplicability of section to Speaker, employee, etc., of the House of Representatives pursuant to section 531 of Pub. L. 91-510, set out as a note under section 281 of this title, section has been revised to limit application to Office of the Legislative Counsel of the Senate. See section 282c of this title for provisions relating to expenditures by Legislative Counsel of the House of Representatives.

§ 277. Repealed. Pub. L. 93-191, § 13, Dec. 18, 1973, 87 Stat. 746

Section, acts Feb. 24, 1919, ch. 18, § 1303(d), 40 Stat. 1141; June 2, 1924, ch. 234, § 1101, 43 Stat. 353, provided for free transmission of official mail matter of the legislative counsel. Official mail matter of Legislative Counsel of House of Representatives is now covered by section 282d of this title.

EFFECTIVE DATE OF REPEAL

Section repealed effective Dec. 18, 1973, see section 14 of Pub. L. 93-191, set out as a note under section 3210 of Title 39, Postal Service.

SUBCHAPTER II—HOUSE OF REPRESENTATIVES

PART I—PURPOSE, POLICY, AND FUNCTION

§ 281. Establishment

There is established in the House of Representatives an office to be known as the Office of the Legislative Counsel, referred to hereinafter in this subchapter as the "Office".

(Pub. L. 91-510, title V, § 501, Oct. 26, 1970, 84 Stat. 1201.)

EFFECTIVE DATE

Subchapter effective Oct. 26, 1970, see section 601(5) of Pub. L. 91-510, set out as a note under section 72a of this title.

TRANSFER OF FUNCTIONS; NONAPPLICABILITY OF SECTIONS 271 TO 277 TO THE HOUSE

Section 531 of Pub. L. 91-510 provided that: "Any individual who on the date of the enactment of this Act [Oct. 26, 1970] is serving under an appointment by the Speaker as Legislative Counsel of the House of Representatives shall continue as Legislative Counsel of the House of Representatives in accordance with this subtitle [this subchapter]. All personnel, positions, property, records, and unexpended balances of appropriations of or for that part of the Office of the Legislative Counsel established under section 1303 of the Revenue Act of 1918 (2 U.S.C., ch. 9) [sections 271 to 277 of this title] employed or held in or for the House of Representatives shall be transferred to the Office established under this subtitle [this subchapter]; and, effective upon the date of enactment of this Act [Oct. 26, 1970], the provisions of section 1303 of the Revenue Act of 1918 [sections 271 to 277 of this title] shall have no further applicability of any kind to the Speaker or to any committee, officer, employee, or property of the House of Representatives."

§ 281a. Purpose and policy

The purpose of the Office shall be to advise and assist the House of Representatives, and its committees and Members, in the achievement of a clear, faithful, and coherent expression of legislative policies. The Office shall maintain impartiality as to issues of legislative policy to be determined by the House of Representatives, and shall not advocate the adoption or rejection of any legislation except when duly requested by the Speaker or a committee to comment on a proposal directly affecting the functions of the Office. The Office shall maintain the attorney-client relationship with respect to all communications between it and any Member or committee of the House.

(Pub. L. 91-510, title V, § 502, Oct. 26, 1970, 84 Stat. 1202.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 281b of this title.

§ 281b. Functions

The functions of the Office shall be as follows:

(1) Upon request of the managers on the part of the House at any conference on the disagreeing votes of the two Houses, to advise and assist the managers on the part of the House in the course of the conference, and to assist the committee of conference in the preparation of the conference report and any accompanying explanatory statement.

(2) Upon request of any committee of the House, or any joint committee having authority to report legislation to the House, to advise and assist the committee in the consideration of any legislation before it, and to assist the committee in the preparation of drafts of any such legislation, amendments thereto, and reports thereon.

(3) Upon request of any Member having control of time during the consideration of any legislation by the House, to have in attendance on the floor of the House not more than two members of the staff of the Office (and, in his discretion, the Legislative Counsel) to advise and assist such Member and, to the extent feasible, any other Member, in the course of such consideration.

(4) Upon request of any Member, subject to such reasonable restrictions as the Legislative Counsel may impose with the approval of the Speaker on the proportion of the resources of the Office which may be devoted to the requests of any one Member, to prepare drafts of legislation and to furnish drafting advice with respect to drafts of legislation prepared by others.

(5) At the direction of the Speaker, to perform on behalf of the House of Representatives any legal services which are withinthe capabilities of the Office and the performance of which would not be inconsistent with the provisions of section 281a of this title or the preceding provisions of this section.

(Pub. L. 91-510, title V, § 503, Oct. 26, 1970, 84 Stat. 1202.)

PART II—ADMINISTRATION

§ 282. Legislative Counsel; appointment; period of service

The management, supervision, and administration of the Office are vested in the Legislative Counsel, who shall be appointed by the Speaker of the House of Representatives without regard to political affiliation and solely on the basis of fitness to perform the duties of the position. Any person so appointed shall serve at the pleasure of the Speaker.

(Pub. L. 91-510, title V, § 521, Oct. 26, 1970, 84 Stat. 1202.)

§ 282a. Staff; delegation of functions

(a) With the approval of the Speaker, or in accordance with policies and procedures approved by the Speaker, the Legislative Counsel shall appoint such attorneys and other employees as may be necessary for the prompt and efficient performance of the functions of the Office. Any such appointment shall be made without regard to political affiliation and solely on the basis of fitness to perform the duties of the position. Any person so appointed may be removed by the Legislative Counsel with the approval of the Speaker, or in accordance with policies and procedures approved by the Speaker.

(b)(1) One of the attorneys appointed under subsection (a) of this section shall be designated by the Legislative Counsel as Deputy Legislative Counsel. During the absence or disability of the Legislative Counsel, or when the office is vacant, the Deputy Legislative Counsel shall perform the functions of the Legislative Counsel.

(2) The Legislative Counsel may delegate to the Deputy Legislative Counsel and to other employees appointed under subsection (a) of this section such of his functions as he considers necessary or appropriate.

(Pub. L. 91-510, title V, § 522, Oct. 26, 1970, 84 Stat. 1203; Pub. L. 92-51, § 101, July 9, 1971, 85 Stat. 132.)

AMENDMENTS

1971—Subsec. (b). Pub. L. 92-51 substituted provisions for designation of one attorney as Deputy Legislative Counsel to perform functions of Legislative Counsel during his absence or disability or when office is vacant and for delegation of functions to Deputy Legislative Counsel and other employees for former provisions for appointment of full-time Office Administrator to exercise management, supervisory, and administrative functions of the Office as delegated to him by the Legislative Counsel.

§ 282b. Compensation

(a) The Legislative Counsel shall be paid at a per annum gross rate equal to the rate of basic pay, as in effect from time to time, for level III of the Executive Schedule of section 5314 of title 5.

(b) Members of the staff of the Office other than the Legislative Counsel shall be paid at per annum gross rates fixed by the Legislative Counsel with the approval of the Speaker or in accordance with policies approved by the Speaker, but not in excess of a per annum gross rate equal to the rate of basic pay, as in effect from time to time, for level V of the Executive Schedule of section 5316 of title 5.

(Pub. L. 91-510, title V, § 523, Oct. 26, 1970, 84 Stat. 1203.)

§ 282c. Expenditures

In accordance with policies and procedures approved by the Speaker, the Legislative Counsel may make such expenditures as may be necessary or appropriate for the functioning of the Office.

(Pub. L. 91-510, title V, § 524, Oct. 26, 1970, 84 Stat. 1203.)

§ 282d. Official mail matter

The Legislative Counsel may send the official mail matter of the Office as franked mail under section 3210 of title 39.

(Pub. L. 91-510, title V, § 525, Oct. 26, 1970, 84 Stat. 1203; Pub. L. 92-51, § 101, July 9, 1971, 85 Stat. 132.)

AMENDMENTS

1971—Pub. L. 92-51 substituted provision for Legislative Counsel to send official mail matter of the Office as franked mail under section 3210 of Title 39, for former provision granting the Office the same privilege of free transmission of official mail matter as other offices of the United States Government.

§ 282e. Authorization of appropriations

There are authorized to be appropriated, for the fiscal year ending June 30, 1971, and for each fiscal year thereafter, such sums as may be necessary to carry out this subchapter and to increase the efficiency of the Office and the quality of the services which it provides.

(Pub. L. 91-510, title V, § 526, Oct. 26, 1970, 84 Stat. 1203.)

CHAPTER 9A—OFFICE OF THE LAW REVISION COUNSEL

Sec.
285. Establishment of Office.
285a. Purpose and impartiality of Office.
285b. Functions of Office.
285c. Management, supervision, and administration of Office by Law Revision Counsel; appointment.
285d. Appointment by Law Revision Counsel of Office staff; removal; designation and duties of Deputy Law Revision Counsel.
285e. Compensation of Law Revision Counsel and Office staff.
285f. Authorization for expenditures by Law Revision Counsel.
285g. Availability of contingent fund of House.

§ 285. Establishment of Office

There is established in the House of Representatives an office to be known as the Office of the Law Revision Counsel, referred to hereinafter in this chapter as the "Office".

(Pub. L. 93-554, title I, ch. III, § 101, Dec. 27, 1974, 88 Stat. 1777.)

REFERENCES IN TEXT

"Chapter" was, in the original, "section" and has been translated editorially in order to conform to codification of section 205 of House Res. No. 988 into permanent law as chapter 9A of this title.

CODIFICATION

Section is based on section 205(a) of House Resolution No. 988, Oct. 8, 1974, which was enacted into permanent law by Pub. L. 93-554.

EFFECTIVE DATE

Section 101 of Pub. L. 93-554 provided in part that the enactment of House Resolution No. 988, Ninety-third Congress, into permanent law is effective on Jan. 2, 1975. This section is derived from enactment into permanent law of section 205(a) of House Res. No. 988.

§ 285a. Purpose and impartiality of Office

The principal purpose of the Office shall be to develop and keep current an official and positive codification of the laws of the United States. The Office shall maintain impartiality as to issues of legislative policy to be determined by the House.

(Pub. L. 93-554, title I, ch. III, § 101, Dec. 27, 1974, 88 Stat. 1777.)

CODIFICATION

Section is based on section 205(b) of House Resolution No. 988, Oct. 8, 1974, which was enacted into permanent law by Pub. L. 93-554.

EFFECTIVE DATE

Section 101 of Pub. L. 93-554 provided in part that the enactment of House Resolution No. 988, Ninety-third Congress, into permanent law is effective on Jan. 2, 1975. This section is derived from enactment into permanent law of section 205(b) of House Res. No. 988.

§ 285b. Functions of Office

The functions of the Office shall be as follows:

(1) To prepare, and submit to the Committee on the Judiciary one title at a time, a complete compilation, restatement, and revision of the general and permanent laws of the United States which conforms to the understood policy, intent, and purpose of the Congress in the original enactments, with such amendments and corrections as will remove ambiguities, contradictions, and other imperfections both of substance and of form, sepa-

rately stated, with a view to the enactment of each title as positive law.

(2) To examine periodically all of the public laws enacted by the Congress and submit to the Committee on the Judiciary recommendations for the repeal of obsolete, superfluous, and superseded provisions contained therein.

(3) To prepare and publish periodically a new edition of the United States Code (including those titles which are not yet enacted into positive law as well as those titles which have been so enacted), with annual cumulative supplements reflecting newly enacted laws.

(4) To classify newly enacted provisions of law to their proper positions in the Code where the titles involved have not yet been enacted into positive law.

(5) To prepare and submit periodically such revisions in the titles of the Code which have been enacted into positive law as may be necessary to keep such titles current.

(6) To prepare and publish periodically new editions of the District of Columbia Code, with annual cumulative supplements reflecting newly enacted laws, through publication of the fifth annual cumulative supplement to the 1973 edition of such Code.

(7) To provide the Committee on the Judiciary with such advice and assistance as the committee may request in carrying out its functions with respect to the revision and codification of the Federal statutes.

(Pub. L. 93-554, title I, ch. III, § 101, Dec. 27, 1974, 88 Stat. 1777; Pub.L. 94-386, § 1, Aug. 14, 1976, 90 Stat. 1170.)

CODIFICATION

Section is based on section 205(c) of House Resolution No. 988, Oct. 8, 1974, which was enacted into permanent law by Pub. L. 93-554.

AMENDMENTS

1976—Par. (6). Pub. L. 94-386 substituted "through publication of the fifth annual cumulative supplement to the 1973 edition of such Code" for "until such time as the District of Columbia Self-Government and Governmental Reorganization Act becomes effective".

EFFECTIVE DATE

Section 101 of Pub. L. 93-554 provided in part that the enactment of House Resolution No. 988, Ninety-third Congress, into permanent law is effective on Jan. 2, 1975. This section is derived from enactment into permanent law of section 205(c) of House Res. No. 988.

PREPARATION AND PUBLICATION OF NEW EDITION OF THE DISTRICT OF COLUMBIA CODE UNDER DIRECTION OF COUNCIL OF THE DISTRICT OF COLUMBIA

Section 2 of Pub. L. 94-386 provided that:

"(a) After publication by the Law Revision Counsel of the fifth annual cumulative supplement to the 1973 edition of the District of Columbia Code, new editions of the District of Columbia Code (and annual cumulative supplements thereto) shall be prepared and published under the direction of the Council of the District of Columbia and shall set forth the general and permanent laws relating to or in force in the District of Columbia, whether enacted by the Congress or by the Council of the District of Columbia, except such laws as are of application in the District of Columbia by reason of being laws of the United States general and permanent in nature.

"(b) After completion of the printing of the fifth annual cumulative supplement to the 1973 edition of the District of Columbia Code, the Public Printer shall, as the Council of the District of Columbia may request, either—

"(1) furnish to the Council of the District of Columbia, on such terms as the Public Printer (in consultation with the Joint Committee on Printing) deems appropriate, the type used in preparing the 1973 edition of the District of Columbia Code and the fifth annual cumulative supplement to such edition; or

"(2) make such arrangements with the Council of the District of Columbia as the Public Printer (in consultation with the Joint Committee on Printing) deems appropriate for the printing by the Government Printing Office of future editions of the District of Columbia Code, and annual cumulative supplements thereto, prepared under the direction of the Council of the District of Columbia."

§ 285c. Management, supervision, and administration of Office by Law Revision Counsel; appointment

The management, supervision, and administration of the Office are vested in the Law Revision Counsel, who shall be appointed by the Speaker without regard to political affiliation and solely on the basis of fitness to perform the duties of the position. Any person so appointed shall serve at the pleasure of the Speaker.

(Pub. L. 93-554, title I, ch. III, § 101, Dec. 27, 1974, 88 Stat. 1777.)

CODIFICATION

Section is based on section 205(d) of House Resolution No. 988, Oct. 8, 1974, which was enacted into permanent law by Pub. L. 93-554.

EFFECTIVE DATE

Section 101 of Pub. L. 93-554 provided in part that the enactment of House Resolution No. 988, Ninety-third Congress, into permanent law is effective on Jan. 2, 1975. This section is derived from enactment into permanent law of section 205(d) of House Res. No. 988.

§ 285d. Appointment by Law Revision Counsel of Office staff; removal; designation and duties of Deputy Law Revision Counsel

(1) With the approval of the Speaker, or in accordance with policies and procedures approved by the Speaker, the Law Revision Counsel shall appoint such employees as may be necessary for the prompt and efficient performance of the functions of the Office. Any such appointment shall be made without regard to political affiliation and solely on the basis of fitness to perform the duties of the position. Any person so appointed may be removed by the Law Revision Counsel with the approval of the Speaker, or in accordance with policies and procedures approved by the Speaker.

(2)(A) One of the employees appointed under paragraph (1) shall be designated by the Law Revision Counsel as Deputy Law Revision Counsel. During the absence or disability of the Law Revision Counsel, or when the office is vacant, the Deputy Law Revision Counsel shall perform the functions of the Law Revision Counsel.

(B) The Law Revision Counsel may delegate to the Deputy Law Revision Counsel and to other employees appointed under paragraph (1) such of his or her functions as he or she considers necessary or appropriate.

(Pub. L. 93-554, title I, ch. III, § 101, Dec. 27, 1974, 88 Stat. 1777.)

CODIFICATION

Section is based on section 205(e) of House Resolution No. 988, Oct. 8, 1974, which was enacted into permanent law by Pub. L. 93-554.

EFFECTIVE DATE

Section 101 of Pub. L. 93-554 provided in part that the enactment of House Resolution No. 988, Ninety-third Congress, into permanent law is effective on Jan. 2, 1975. This section is derived from enactment into permanent law of section 205(e) of House Res. No. 988.

§ 285e. Compensation of Law Revision Counsel and Office staff

The Law Revision Counsel shall be paid at a per annum gross rate not to exceed level IV of the Executive Schedule of section 5315 of title 5; and members of the staff of the Office other than the Law Revision Counsel shall be paid at per annum gross rates fixed by the Law Revision Counsel with the approval of the Speaker or in accordance with policies approved by the Speaker, but not in excess of a per annum gross rate equal to level V of such schedule.

(Pub. L. 93-554, title I, ch. III, § 101, Dec. 27, 1974, 88 Stat. 1777.)

CODIFICATION

Section is based on section 205(f) of House Resolution No. 988, Oct. 8, 1974, which was enacted into permanent law by Pub. L. 93-554.

EFFECTIVE DATE

Section 101 of Pub. L. 93-554 provided in part that the enactment of House Resolution No. 988, Ninety-third Congress, into permanent law is effective on Jan. 2, 1975. This section is derived from enactment into permanent law of section 205(f) of House Res. No. 988.

§ 285f. Authorization for expenditures by Law Revision Counsel

In accordance with policies and procedures approved by the Speaker, the Law Revision Counsel is authorized to make such expenditures as may be necessary or appropriate for the functioning of the Office.

(Pub. L. 93-554, title I, ch. III, § 101, Dec. 27, 1974, 88 Stat. 1777.)

CODIFICATION

Section is based on section 205(g) of House Resolution No. 988, Oct. 8, 1974, which was enacted into permanent law by Pub. L. 93-554.

EFFECTIVE DATE

Section 101 of Pub. L. 93-554 provided in part that the enactment of House Resolution No. 988, Ninety-third Congress, into permanent law is effective on Jan. 2, 1975. This section is derived from enactment into permanent law of section 205(g) of House Res. No. 988.

§ 285g. Availability of contingent fund of House

Until such time as funds are appropriated by law to carry out the purpose of this chapter, the contingent fund of the House shall be available for such purpose.

(Pub. L. 93-554, title I, ch. III, § 101, Dec. 27, 1974, 88 Stat. 1777.)

REFERENCES IN TEXT

"Chapter" was, in the original, "section" and has been translated editorially in order to conform to codification of section 205 of House Res. No. 988 into permanent law as chapter 9A of this title.

CODIFICATION

Section is based on section 205(h) of House Resolution No. 988, Oct. 8, 1974, which was enacted into permanent law by Pub. L. 93-554.

EFFECTIVE DATE

Section 101 of Pub. L. 93-554 provided in part that the enactment of House Resolution No. 988, Ninety-third Congress, into permanent law is effective on Jan. 2, 1975. This section is derived from enactment into permanent law of section 205(h) of House Res. No. 988.

CHAPTER 9B—LEGISLATIVE CLASSIFICATION OFFICE

Sec.
286. Establishment of Office.
286a. Purpose and impartiality of Office.
286b. Functions of Office.
286c. Management, supervision, and administration of Office by Staff Director; appointment.
286d. Appointment by Staff Director of Office staff; removal; designation and duties of Deputy Staff Director.
286e. Compensation of Staff Director and Office staff.
286f. Authorization for expenditures by Staff Director.
286g. Availability of contingent fund of House.

§ 286. Establishment of Office

There is established in the House of Representatives an office to be known as the Legislative Classification Office, referred to hereinafter in this chapter as the "Office".

(Pub. L. 93-554, title I, ch. III, § 101, Dec. 27, 1974, 88 Stat. 1777.)

REFERENCES IN TEXT

"Chapter" was, in the original, "section" and has been translated editorially in order to conform to codification of section 203 of House Res. No. 988 into permanent law as chapter 9B of this title.

CODIFICATION

Section is based on section 203(a) of House Resolution No. 988, Oct. 8, 1974, which was enacted into permanent law by Pub. L. 93-554.

EFFECTIVE DATE

Section 101 of Pub. L. 93-554 provided in part that the enactment of House Resolution No. 988, Ninety-third Congress, into permanent law is effective on Jan. 2, 1975. This section is derived from enactment into permanent law of section 203(a) of House Res. No. 988.

CROSS REFERENCES

Office of the Law Revision Counsel, establishment, purpose, functions, etc., see section 285 et seq. of this title.

§ 286a. Purpose and impartiality of Office

The purpose of the Office shall be to develop, supervise, and maintain for the House and its committees and Members a system linking Federal programs and expenditures to the authorizing statutes, and showing the committee jurisdiction for each authorization. The Office shall maintain impartiality as to issues of legislative policy to be determined by the House.

(Pub. L. 93-554, title I, ch. III, § 101, Dec. 27, 1974, 88 Stat. 1777.)

CODIFICATION

Section is based on section 203(b) of House Resolution No. 988, Oct. 8, 1974, which was enacted into permanent law by Pub. L. 93-554.

EFFECTIVE DATE

Section 101 of Pub. L. 93-554 provided in part that the enactment of House Resolution No. 988, Ninety-third Congress, into permanent law is effective on Jan. 2, 1975. This section is derived from enactment into permanent law of section 203(b) of House Res. No. 988.

§ 286b. Functions of Office

The functions of the Office shall be as follows:

(1) To create a cross-reference capability based on the authorization statutes, showing committee jurisdiction, appropriation Acts, budget authority, budget outlays, unexpended balances, other relevant systems which are or may be compatible, and the relationships between them, under the direction of the Speaker.

(2) To work closely with the House standing committees in all phases of the development of the cross-referencing capability and to coordinate with the Congressional Research Service and General Accounting Office, in the development, implementation, and operation of the cross-referencing service.

(3) To advise the Speaker of developments which could improve the operation of the classification service and to issue an annual report to the House on the progress in implementation and use of the service, and plans for the coming year.

(4) To make available (as development permits) publications or information in an appropriate format for use of the House committees and Members and to provide the capability to answer specific queries on the available information.

(Pub. L. 93-554, title I, ch. III, § 101, Dec. 27, 1974, 88 Stat. 1777.)

CODIFICATION

Section is based on section 203(c) of House Resolution No. 988, Oct. 8, 1974, which was enacted into permanent law by Pub. L. 93-554.

EFFECTIVE DATE

Section 101 of Pub. L. 93-554 provided in part that the enactment of House Resolution No. 988, Ninety-third Congress, into permanent law is effective on Jan. 2, 1975. This section is derived from enactment into permanent law of section 203(c) of House Res. No. 988.

§ 286c. Management, supervision, and administration of Office by Staff Director; appointment

The management, supervision, and administration of the Office are vested in a Staff Director, who shall be appointed by the Speaker without regard to political affiliation and solely on the basis of fitness to perform the duties of the position. Any person so appointed shall serve at the pleasure of the Speaker.

(Pub. L. 93-554, title I, ch. III, § 101, Dec. 27, 1974, 88 Stat. 1777.)

CODIFICATION

Section is based on section 203(d) of House Resolution No. 988, Oct. 8, 1974, which was enacted into permanent law by Pub. L. 93-554.

EFFECTIVE DATE

Section 101 of Pub. L. 93-554 provided in part that the enactment of House Resolution No. 988, Ninety-third Congress, into permanent law is effective on Jan. 2, 1975. This section is derived from enactment into permanent law of section 203(d) of House Res. No. 988.

§ 286d. Appointment by Staff Director of Office staff; removal; designation and duties of Deputy Staff Director

(1) With the approval of the Speaker, or in accordance with policies and procedures approved by the Speaker, the Staff Director shall appoint such employees as may be necessary for the prompt and efficient performance of the functions of the Office. Any such appointment shall be made without regard to political affiliation and solely on the basis of fitness to perform the duties of the position. Any person so appointed may be removed by the Staff Director with the approval of the Speaker, or in accordance with policies and procedures approved by the Speaker.

(2)(A) One of the employees appointed under paragraph (1) shall be designated by the Staff Director as Deputy Staff Director. During the absence or disability of the Staff Director, or when the office is vacant, the Deputy Staff Director shall perform the functions of the Staff Director.

(B) The Staff Director may delegate to the Deputy Staff Director and to other employees appointed under paragraph (1) such of his or her functions as he or she considers necessary or appropriate.

(Pub. L. 93-554, title I, ch. III, § 101, Dec. 27, 1974, 88 Stat. 1777.)

CODIFICATION

Section is based on section 203(e) of House Resolution No. 988, Oct. 8, 1974, which was enacted into permanent law by Pub. L. 93-554.

EFFECTIVE DATE

Section 101 of Pub. L. 93-554 provided in part that the enactment of House Resolution No. 988, Ninety-third Congress, into permanent law is effective on Jan. 2, 1975. This section is derived from enactment into permanent law of section 203(e) of House Res. No. 988.

§ 286e. Compensation of Staff Director and Office staff

The Staff Director shall be paid at a per annum gross rate not to exceed level IV of the Executive Schedule of section 5315 of title 5; and members of the staff of the Office other than the Staff Director shall be paid at per annum gross rates fixed by the Staff Director with the approval of the Speaker or in accordance with policies approved by the Speaker, but not in excess of a per annum gross rate equal to level V of such schedule.

(Pub. L. 93-554, title I, ch. III, § 101, Dec. 27, 1974, 88 Stat. 1777.)

CODIFICATION

Section is based on section 203(f) of House Resolution No. 988, Oct. 8, 1974, which was enacted into permanent law by Pub. L. 93-554.

EFFECTIVE DATE

Section 101 of Pub. L. 93-554 provided in part that the enactment of House Resolution No. 988, Ninety-

third Congress, into permanent law is effective on Jan. 2, 1975. This section is derived from enactment into permanent law of section 203(f) of House Res. No. 988.

§ 286f. Authorization for expenditures by Staff Director

In accordance with policies and procedures approved by the Speaker, the Staff Director is authorized to make such expenditures as may be necessary or appropriate for the functioning of the Office.

(Pub. L. 93-554, title I, ch. III, § 101, Dec. 27, 1974, 88 Stat. 1777.)

Codification

Section is based on section 203(g) of House Resolution No. 988, Oct. 8, 1974, which was enacted into permanent law by Pub. L. 93-554.

Effective Date

Section 101 of Pub. L. 93-554 provided in part that the enactment of House Resolution No. 988, Ninety-third Congress, into permanent law is effective on Jan. 2, 1975. This section is derived from enactment into permanent law of section 203(g) of House Res. No. 988.

§ 286g. Availability of contingent fund of House

Until such time as funds are appropriated by law to carry out the purpose of this chapter, the contingent fund of the House shall be available for such purpose.

(Pub. L. 93-554, title I, ch. III, § 101, Dec. 27, 1974, 88 Stat. 1777.)

References in Text

"Chapter" was, in the original, "section" and has been translated editorially in order to conform to codification of section 203 of House Res. No. 988 into permanent law as chapter 9B of this title.

Codification

Section is based on section 203(h) of House Resolution No. 988, Oct. 8, 1974, which was enacted into permanent law by Pub. L. 93-554.

Effective Date

Section 101 of Pub. L. 93-554 provided in part that the enactment of House Resolution No. 988, Ninety-third Congress, into permanent law is effective on Jan. 2, 1975. This section is derived from enactment into permanent law of section 203(h) of House Res. No. 988.

CHAPTER 10—CLASSIFICATION OF EMPLOYEES OF HOUSE OF REPRESENTATIVES

Sec.
291. Congressional declaration of purpose.
292. Positions affected.
293. Compensation schedules.
293a. Increases in House employees rates of compensation.
293b. Increases in House employees rates of compensation.
293c. Increase in House employees rates of compensation.
294. Positions standards and descriptions.
295. Placement of positions in compensation schedules.
296. Step increases; waiting periods; service in Armed Forces; automatic advancement.
297. Appointments and reclassifications to higher compensation levels.
298. Reductions in compensation level.
299. Appointments; compensation level.
300. Establishment of positions; payment from contingent fund.
301. Preservation of existing appointing authorities.
302. Regulations.
303. Dual compensation.

Chapter Referred to in Other Sections

This chapter is referred to in sections 60e-13, 60e-14, 72a-3 of this title.

§ 291. Congressional declaration of purpose

It is the purpose of this chapter to provide a classification system for the equitable establishment and adjustment of rates of compensation for, and for the efficient utilization of personnel in, certain positions under the House of Representatives to which this chapter applies, through—

(1) the creation and maintenance of orderly and equitable compensation relationships for such positions—

(A) in accordance with the principle of equal pay for substantially equal work, and

(B) with due regard to (i) differences in the levels of difficulty, responsibility, and qualification requirements of the work, (ii) the kind of work performed, (iii) satisfactory performance, and (iv) length of service;

(2) the application of appropriate position standards and position descriptions for such positions; and

(3) the adoption of organization and position titles in the House which accurately reflect the respective functions, duties, and responsibilities of those organizations and positions in the House to which this chapter applies.

(Pub. L. 88-652, § 2, Oct. 13, 1964, 78 Stat. 1079.)

References in Text

This chapter, referred to in text, was in the original, this Act, meaning Pub. L. 88-652, which enacted this chapter and amended former section 88c and section 123b(f) of this title.

Effective Date

Section 17 of Pub. L. 88-652 provided that: "This Act [enacting this chapter and amending former section 88c and section 123b(f) of this title] shall become effective on January 1, 1965."

Short Title

Section 1 of Pub. L. 88-652 provided that this Act, which enacted this chapter and amended former section 88c and section 123b (f) of this title, may be cited as the "House Employees Position Classification Act."

Savings Provisions

Section 15 of Pub. L. 88-652 provided that:

"(a) Notwithstanding any provision of this Act [this chapter], the aggregate (gross) rate of compensation of any employee immediately prior to the effective date of this Act [Jan. 1, 1965] shall not be reduced by reason of the enactment of this Act.

"(b) For the purposes of applicable law relating to the payment to any individual of compensation from more than one civilian office or position, each employee of the House to whom this Act applies who, immediately prior to the effective date of this Act—

"(1) is receiving basic compensation from more than one civilian office or position and

"(2) is in compliance with such law

shall be held and considered to be in compliance with such law on and after such effective date, notwithstanding the enactment of this Act, so long as such employee continues to receive, without break in service of more than thirty days, the same or lower rate of basic compensation in a position to which this Act does not apply."

§ 292. Positions affected

This chapter shall apply to—

(1) all positions under the Clerk, the Sergeant at Arms, the Doorkeeper, and the Postmaster, of the House of Representatives, except the positions of telephone operator and positions on the United States Capitol Police force;

(2) the position of minority pair clerk in the House;

(3) all positions under the House Recording Studio; and

(4) all positions under the House Radio and Television Correspondents' Gallery and the House Periodical Press Gallery.

(Pub. L. 88-652, § 3, Oct. 13, 1964, 78 Stat. 1079.)

§ 293. Compensation schedules

(a)(1) The Committee on House Administration of the House of Representatives (hereinafter referred to as the "committee") shall establish and maintain, and, from time to time, may revise, for positions to which this chapter applies (other than positions within the purview of subsection (b) of this section the compensation for which is fixed and adjusted from time to time in accordance with prevailing rates), a compensation schedule of per annum rates, which shall be known as the "House Employees Schedule" and for which the symbol shall be "HS", subject to the following provisions:

(A) Such schedule shall be composed of such number of compensation levels as the committee deems appropriate.

(B) Each compensation level shall consist of twelve compensation steps.

(C) The per annum rate of compensation for each compensation step of each compensation level shall be in such amount as the committee deems appropriate, except that the per annum rate of compensation for the maximum compensation step of the highest compensation level shall not exceed the maximum rate of compensation authorized by chapter 51 and subchapter III of chapter 53 of title 5.

(2) The rates of compensation for such positions shall be in accordance with such schedule.

(b) The committee shall establish and maintain, and, from time to time, may revise, for positions under the Clerk, the Sergeant at Arms, the Doorkeeper, and the Postmaster, of the House of Representatives, the compensation for which, in the judgment of the committee, should be fixed and adjusted from time to time in accordance with prevailing rates, a compensation schedule providing for per annum or per hour rates, or both, established in accordance with prevailing rates and consisting of such number of compensation levels and steps as the committee deems appropriate, which shall be known as the "House Wage Schedule" and for which the symbol shall be "HWS". The rates of compensation for such positions shall be in accordance with such schedule.

(Pub. L. 88-652, § 4, Oct. 13, 1964, 78 Stat. 1079.)

1968 AND 1969 INCREASES IN COMPENSATION

Increases in compensation effective July 1, 1968, and July 1, 1969, for officers and employees of the House of Representatives under the House Employees Schedule (HS), see Salary Directives of the Speaker of the House of Representatives, set out as notes under section 60a-2 of this title.

§ 293a. Increases in House employees rates of compensation

The rates of compensation of employees of the House of Representatives whose compensation is fixed by the House Employees Schedule under this chapter shall be increased by amounts equal, as nearly as may be practicable, to the increases provided by section 60e-12(a) of this title; except, that this section shall not apply to the compensation of those employees whose compensation is fixed by the House Wage Schedule of such chapter.

(Pub. L. 89-301, § 11(c), Oct. 29, 1965, 79 Stat. 1120.)

CODIFICATION

Section was not enacted as part of the House Employees Position Classification Act, Pub. L. 88-652, which comprises this chapter, but as part of the Federal Employees Salary Act of 1965.

EFFECTIVE DATE

Section effective on the first day of the first pay period which begins on or after October 1, 1965.

§ 293b. Increases in House employees rates of compensation

The rates of compensation of employees of the House of Representatives whose compensation is fixed by the House Employees Schedule under this chapter, including each employee subject to such chapter whose compensation is fixed at a saved rate, are hereby increased by amounts equal, as nearly as may be practicable, to the increases provided by section 60e-13(a) of this title.

(Pub. L. 89-504, title III, § 302(c), July 18, 1966, 80 Stat. 295.)

CODIFICATION

Section was not enacted as part of the House Employees Position Classification Act, which comprises this chapter, but as part of Federal Legislative Salary Act of 1966.

EFFECTIVE DATE

Section effective on the first day of the first pay period which begins on or after July 1, 1966.

§ 293c. Increase in House employees rates of compensation

The rates of compensation of employees of the House of Representatives whose compensation is fixed under this chapter, including each employee subject to such chapter whose compensation is fixed at a saved rate, are hereby increased by amounts equal, as nearly as may be practicable, to the increases provided by section 60e-14(a) of this title.

(Pub. L. 90-206, title II, § 214(c), Dec. 16, 1967, 81 Stat. 636.)

CODIFICATION

Section was not enacted as part of the House Employees Position Classification Act, which comprises this chapter, but as part of the Federal Salary Act of 1967. See Short Title note under section 5332 of Title 5, Government Organization and Employees.

EFFECTIVE DATE

Section effective as of the beginning of the first pay period which begins on or after Oct. 1, 1967, see section 220(a) (2) of Pub. L. 90-206, set out as a note under section 5332 of Title 5, Government Organization and Employees.

1970 INCREASE IN PAY RATES OF CERTAIN EMPLOYEES OF THE LEGISLATIVE BRANCH

Adjustment by the President pro tempore of the Senate with respect to the United States Senate, by the Finance Clerk of the House of Representatives with respect to the United States House of Representatives, and by the Architect of the Capitol with respect to the Office of the Architect of the Capitol, effective on the first day of the first pay period which begins on or after Dec. 27, 1969, of the rates of pay of employees of the legislative branch subject to section 214 of Pub. L. 90-206 with certain exceptions, by the amounts of the adjustment for corresponding rates for employees subject to the General Schedule, set out in section 5332 of Title 5, which had been made by section 2 of Pub. L. 91-231 raising such rates by 6 percent, see Pub. L. 91-231, set out as a note under section 5332 of Title 5, Government Organization and Employees.

1968 AND 1969 INCREASES IN COMPENSATION

Increases in compensation effective July 1, 1968, and July 1, 1969, for certain of the employees whose compensation was increased by this section, see Salary Directives of the Speaker of the House of Representatives, set out as notes under section 60a-2 of this title.

§ 294. Positions standards and descriptions

(a)(1) It shall be the duty of the committee to prescribe, revise, and (on a current basis) maintain position standards which shall apply to positions (in existence on, or established after, January 1, 1965 under the House of Representatives to which this chapter applies.

(2) The position standards shall—

(A) provide for the separation of such positions into appropriate classes for pay and personnel purposes on the basis of reasonable similarity with respect to types of positions, qualification requirements of positions, and levels of difficulty and responsibility of work, and

(B) govern the placement of such positions in their respective appropriate compensation levels of the appropriate compensation schedule.

(b)(1) Subject to review and approval by the committee, the Clerk, the Sergeant at Arms, the Doorkeeper, and the Postmaster of the House of Representatives, shall prepare, revise, and (on a current basis) maintain, at such times and in such form as the committee deems appropriate, position descriptions of the respective positions (in existence on, or established after, January 1, 1965) under the House of Representatives to which this chapter applies which are under their respective jurisdictions, including—

(A) with respect to the Clerk, positions under the House Recording Studio,

(B) with respect to the Sergeant at Arms, the position of minority pair clerk in the House, and

(C) with respect to the Doorkeeper, positions under the House Radio and Television Correspondents' Gallery and the House Periodical Press Gallery.

(2) The position descriptions shall—

(A) describe in detail the actual duties, responsibilities, and qualification requirements of the work of each of such positions,

(B) provide a position title for such position which accurately reflects such duties and responsibilities, and

(C) govern the placement of such position in its appropriate class.

(c) The Clerk, the Sergeant at Arms, the Doorkeeper, and the Postmaster, of the House of Representatives, shall transmit to the committee, at such times and in such form as the committee deems appropriate, all position descriptions required by subsection (b) of this section to be prepared, provided, and currently maintained by them, together with such other pertinent information as the committee may require, in order that the committee shall have, at all times, current information with respect to such position descriptions, the positions to which such descriptions apply, and related personnel matters within the purview of this chapter. Such information so transmitted shall be kept on file in the committee.

(d) Notwithstanding any other provision of this chapter, the committee shall have authority, which may be exercised at any time in its discretion, to—

(1) conduct surveys and studies of all organization units, and the positions therein, to which this chapter applies;

(2) ascertain on a current basis the facts with respect to the duties, responsibilities, and qualification requirements of any position to which this chapter applies;

(3) prepare and revise the position description of any such position;

(4) place any such position in its appropriate class and compensation level;

(5) decide whether any such position is in its appropriate class and compensation level;

(6) change any such position from one class or compensation level to any other class or compensation level whenever the facts warrant; and

(7) prescribe such organization and position titles as may be appropriate to carry out the purposes of this chapter.

All such actions of the committee shall be binding on the House officer and organization unit concerned and shall be the basis for payment of compensation and for other personnel benefits and transactions until otherwise changed by the committee.

(Pub. L. 88-652, § 5, Oct. 13, 1964, 78 Stat. 1080.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 295 of this title.

§ 295. Placement of positions in compensation schedules

The committee shall place each position (in existence on, or established after, January 1, 1965) under the House of Representatives to which this chapter applies in its appropriate class, and in its appropriate compensation level of the appropriate compensation schedule, in accordance with the position standards and position descriptions provided for in section 294 of this title. The committee is authorized, when circumstances so warrant, to change any such position from one class or compensation level to another class or compensation level. All actions of the committee under this section shall be binding on the House officer and organization unit concerned and shall be the basis for payment of compensation and for other personnel benefits and transactions until otherwise changed by the committee.

(Pub. L. 88-652, § 6, Oct. 13, 1964, 78 Stat. 1081.)

§ 296. Step increases; waiting periods; service in Armed Forces; automatic advancement

(a) Each employee in a compensation level of the House Employees Schedule (HS), who has not attained the highest schedule rate of compensation for the compensation level (HS level) in which his position is placed, shall be advanced successively to the next higher step of such HS level, as follows:

(1) to steps 2, 3, and 4, respectively—at the beginning of the first pay period following the completion, without break in service of more than thirty months, of one year of satisfactory service in the next lower step;

(2) to steps 5, 6, and 7, respectively—at the beginning of the first pay period following the completion, without break in service of more than thirty months, of two years of satisfactory service in the next lower step;

(3) to steps 8, 9, and 10, respectively—at the beginning of the first pay period following the completion, without break in service of more than thirty months, of three years of satisfactory service in the next lower step; and

(4) to steps 11 and 12, respectively—at the beginning of the first pay period following the completion, without break in service of more than thirty months, of five years of satisfactory service in the next lower step.

(b) The receipt of an increase in compensation during any of the waiting periods of service specified in subsection (a) of this section shall cause a new full waiting period of service to commence for further step increases under such subsection.

(c) Any increase in compensation granted by law, or granted by reason of an increase made by the committee in the rates of compensation of the House Employees Schedule, to employees within the purview of subsection (a) of this section shall not be held or considered to be an increase in compensation for the purposes of subsection (b) of this section.

(d) The benefit of successive step increases under subsection (a) of this section shall be preserved, under regulations prescribed by the committee, for employees whose continuous service is interrupted by service in the Armed Forces of the United States.

(e) The committee shall establish and maintain, and, from time to time, may revise, a system of automatic advancement, by successive step increases in compensation, on the basis of satisfactory service performed, without break in service of more than thirty months, for employees subject to the House Wage Schedule (HWS). In the operation of such system of step increases the committee may prescribe regulations to the effect that—

(1) the receipt of an increase in compensation during any of the waiting periods of service required for advancement by step increases under such system shall cause a new full waiting period of service to commence for further step increases under such system;

(2) any increase in compensation granted by law, or granted by reason of an increase made by the committee in the rates of compensation of the House Wage Schedule, to employees within the purview of such system of step increases shall not be held or considered to be an increase in compensation for the purposes of subparagraph (1) of this subsection; and

(3) the benefit of successive step increases under such system of step increases shall be preserved, under regulations prescribed by the committee, for employees whose continuous service is interrupted by service in the Armed Forces of the United States.

(Pub. L. 88-652, § 7, Oct. 13, 1964, 78 Stat. 161.)

§ 297. Appointments and reclassifications to higher compensation levels

(a) Each employee in a compensation level of the House Employees Schedule (HS), who is appointed to a position in a higher compensation level of such schedule, or whose position is placed in a higher compensation level of such schedule pursuant to a reclassification of such position, shall be paid compensation in such higher compensation level, in accordance with the following provisions, whichever is first applicable in the following numerical order of precedence:

(1) at the rate of the lowest step for which the rate of compensation equals the rate of compensation for that step, in the compensation level from which he is appointed, which is two steps above the step in such level which he had attained immediately prior to such appointment;

(2) at the rate of the lowest step for which the rate of compensation exceeds, by not less than two steps of the compensation level from which he is appointed, his rate of compensation immediately prior to such appointment; or

(3) at the rate of the highest step of such higher step of such higher compensation level, or at his rate of compensation immediately prior to such appointment, whichever rate is the higher.

(b) The committee may provide by regulations for the payment of compensation, at an appropriate compensation step determined in accordance with such regulations, to each employee subject to the House Wage Schedule (HWS) who is appointed to a position in a

higher compensation level of such schedule or whose position is placed in a higher compensation level of such schedule pursuant to a reclassification of such position.

(Pub. L. 88-652, § 8, Oct. 13, 1964, 78 Stat. 1082.)

§ 298. Reductions in compensation level

Each employee in a position of a compensation level of the House Employees Schedule (HS) or the House Wage Schedule (HWS), whose employment in such position and level is terminated and who is reemployed, with or without break in service, in a position in a lower compensation level (HS level or HWS level) of such schedule, or whose position is placed in a lower compensation level of such schedule pursuant to a reclassification of such position, shall be placed by the committee in such step of such lower compensation level as the committee deems appropriate.

(Pub. L. 88-652, § 9, Oct. 13, 1964, 78 Stat. 1083.)

§ 299. Appointments; compensation level

Except as otherwise provided by this chapter, each individual appointed to a position subject to the House Employees Schedule (HS) or the House Wage Schedule (HWS) shall be placed in the minimum step of the appropriate compensation level (HS level or HWS level) of such schedule.

(Pub. L. 88-652, § 10, Oct. 13, 1964, 78 Stat. 1083.)

§ 300. Establishment of positions; payment from contingent fund

The committee may authorize the establishment of additional positions of the kind to which this chapter applies, on a permanent basis or on a temporary basis of not to exceed six months' duration, whenever, in the judgment of the committee, such action is warranted in the interests of the orderly and efficient operation of the House of Representatives. The compensation of each such position may be paid out of the contingent fund of the House of Representatives until otherwise provided by law. An additional position of the kind to which this chapter applies shall not be established without authorization of the committee.

(Pub. L. 88-652, § 11, Oct. 13, 1964, 78 Stat. 1083.)

§ 301. Preservation of existing appointing authorities

This chapter shall not be held or considered to change or otherwise affect—

(1) any authority to establish positions under the House of Representatives which are not within the purview of this chapter, or

(2) any authority to make appointments to positions under the House of Representatives, irrespective of whether such positions are within the purview of this chapter.

(Pub. L. 88-652, § 12, Oct. 13, 1964, 78 Stat. 1083.)

§ 302. Regulations

The committee is authorized to prescribe such regulations as may be necessary to carry out the purposes of this chapter.

(Pub. L. 88-652, § 13, Oct. 13, 1964, 78 Stat. 1084.)

§ 303. Dual compensation

For the purposes of applicable law relating to the payment to any employee subject to the House Employees Schedule or the House Wage Schedule of compensation from more than one civilian office or position, the rate of basic compensation of each employee subject to any such schedule shall be held and considered to be that rate which, when increased by additional compensation then currently authorized by law for House employees generally, equals or most nearly equals the per annum rate of compensation of such employee under such schedule.

(Pub. L. 88-652, § 14, Oct. 13, 1964, 78 Stat. 1084.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 60e-13 of this title.

CHAPTER 10A—PAYROLL ADMINISTRATION IN HOUSE OF REPRESENTATIVES

Sec.
331. Single per annum gross rates of pay for employees.
332. Single per annum gross rates of clerk hire allowances of Members.
(a) Population as basis.
(b) Monthly pay limitation.
(c) Yearly pay limitation.
(d) Salary schedule changes; certification.
(e) Titles for positions.
333. Single per annum gross rates of allowances for personal services in offices of Speaker, Leaders, and Whips.
334. Conversion by Clerk of the House of existing basic pay rates to per annum gross pay rates.
335. Obsolete references in existing law to basic pay rates.
336. Saving provision.

§ 331. Single per annum gross rates of pay for employees

Whenever the rate of pay of an employee whose pay is disbursed by the Clerk of the House of Representatives is fixed or adjusted on or after the effective date of this section, that rate, as so fixed or adjusted, shall be a single per annum gross rate.

(Pub. L. 91-510, title IV, § 471, Oct. 26, 1970, 84 Stat. 1193.)

EFFECTIVE DATE

Section effective immediately prior to noon on Jan. 3, 1971, see section 601(1) of Pub. L. 91-510, set out as a note under section 72a of this title.

INCONSISTENT PROVISIONS

Section 477(b) of Pub. L. 91-510 provided that: "All provisions of law inconsistent with any provision of this Part [enacting this chapter, amending section 5533(c) of Title 5, and repealing sections 60g, 60g-1 and 72a(e) of this title] are hereby superseded to the extent of the inconsistency."

Section 477(b) of Pub. L. 91-510 effective immediately prior to noon on Jan. 3, 1971, see section 601(1) of Pub. L. 91-510, set out as a note under section 72a of this title.

§ 332. Single per annum gross rates of clerk hire allowances of Members

(a) Population as basis

The clerk hire allowance of each Member of the House of Representatives and the Resident Commissioner from Puerto Rico shall be at a single per annum gross rate, determined on the basis of the population, as currently estimated by the Bureau of the Census, of the constituency of that Member or the Resident Commissioner within one of the following categories, as applicable—

(1) a population of less than 500,000, with respect to which the single per annum gross rate of clerk hire allowance is $133,500; or

(2) a population of 500,000 or more, with respect to which the single per annum gross rate of clerk hire allowance is $140,500.

(b) Monthly pay limitation

The aggregate of the payments of pay, for each monthly pay period, to employees, out of the clerk hire allowance of a Member or the Resident Commissioner, shall not be at a rate greater than the single per annum gross rate of clerk hire allowance of that Member or the Resident Commissioner, divided by twelve and adjusted to the nearest lower whole dollar figure, not counting any remaining portion of a dollar.

(c) Yearly pay limitation

An employee is not entitled to pay, out of the clerk hire allowance of a Member or the Resident Commissioner, at a single per annum gross rate in excess of $27,343.27.

(d) Salary schedule changes; certification

Each Member and the Resident Commissioner shall certify any rearrangements or changes of salary schedules of employees paid out of his clerk hire allowance, in writing to the Clerk of the House, on or before such day of any month, in which such rearrangements or changes of salary schedules are to become effective, as the Clerk, with the approval of the Committee on House Administration, may designate from time to time. The Clerk shall disburse the pay of those employees in accordance with the certification of that Member or the Resident Commissioner.

(e) Titles for positions

Each Member and the Resident Commissioner may, by written notice to the Clerk of the House, establish such titles for positions in his office as he may desire to designate.

(Pub. L. 91-510, title IV, § 472, Oct. 26, 1970, 84 Stat. 1194.)

EFFECTIVE DATE

Section effective immediately prior to noon on Jan. 3, 1971, see section 601(1) of Pub. L. 91-510, set out as a note under section 72a of this title.

§ 333. Single per annum gross rates of allowances for personal services in offices of Speaker, Leaders, and Whips

The allowance for additional office personnel in the office of each of the following officials of the House of Representatives shall be at a single per annum gross rate, as follows:

(1) the Speaker, $110,000.

(2) the Majority Leader, $90,000.

(3) the Minority Leader, $55,000.

(4) the Majority Whip, $55,000.

(5) the Minority Whip, $55,000.

(Pub. L. 91-510, title IV, § 473, Oct. 26, 1970, 84 Stat. 1194.)

EFFECTIVE DATE

Section effective immediately prior to noon on Jan. 3, 1971, see section 601(1) of Pub. L. 91-510, set out as a note under section 72a of this title.

§ 334. Conversion by Clerk of the House of existing basic pay rates to per annum gross pay rates

The Clerk of the House of Representatives shall convert, as of the effective date of this section, to a single per annum gross rate, the rate of pay of each employee whose pay—

(1) is disbursed by the Clerk; and

(2) immediately prior to such effective date, was fixed at a basic rate with respect to which additional pay was payable by law.

(Pub. L. 91-510, title IV, § 474, Oct. 26, 1970, 84 Stat. 1194.)

EFFECTIVE DATE

Section effective immediately prior to noon on Jan. 3, 1971, see section 601(1) of Pub. L. 91-510, set out as a note under section 72a of this title.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 335 of this title.

§ 335. Obsolete references in existing law to basic pay rates

In any case in which—

(1) the rate of pay of any employee or position, or class of employees or positions, the pay for whom or for which is disbursed by the Clerk of the House of Representatives, or any maximum or minimum rate with respect to any such employee, position, or class, is referred to in or provided by statute or House resolution; and

(2) the rate so referred to or provided is a basic rate with respect to which additional pay is provided by law;

such statutory provision or resolution shall be deemed to refer, in lieu of such basic rate, to the per annum gross rate which an employee receiving such basic rate immediately prior to the effective date of this section would receive, without regard to such statutory provision or resolution, under section 334 of this title on and after such date.

(Pub. L. 91-510, title IV, § 475, Oct. 26, 1970, 84 Stat. 1195.)

EFFECTIVE DATE

Section effective immediately prior to noon on Jan. 3, 1971, see section 601(1) of Pub. L. 91-510, set out as a note under section 72a of this title.

§ 336. Saving provision

The provisions of this chapter shall not be construed to—

(1) limit or otherwise affect any authority for the making of any appointment to, or for fixing or adjusting the pay for, any position for which the pay is disbursed by the Clerk of the House of Representatives; or

(2) affect the continuity of employment of, or reduce the pay of, any employee whose pay is disbursed by the Clerk of the House.

(Pub. L. 91-510, title IV, § 476, Oct. 26, 1970, 84 Stat. 1195.)

REFERENCES IN TEXT

In the original, "this chapter" read "this Part", which enacted this chapter, amended section 5533(c) of Title 5 and Rules of the House of Representatives, repealed sections 60g, 60g-1, and 72a(e) of this title, and enacted provisions set out as a note under section 331 of this title.

EFFECTIVE DATE

Section effective immediately prior to noon on Jan. 3, 1971, see section 601(1) of Pub. L. 91-510, set out as a note under section 72a of this title.

CHAPTER 11—COMMISSION ON EXECUTIVE, LEGISLATIVE, AND JUDICIAL SALARIES

Sec.
351. Establishment of Commission.
352. Membership of Commission; appointment; Chairman; term of office; vacancies; compensation; expenses; allowances.
353. Executive Director; additional personnel; detail of personnel of other agencies.
354. Use of United States mails by Commission.
355. Administrative support services.
356. Functions of Commission.
356a. Salary rate limitation for use of funds.
357. Report to the President.
358. Recommendations of the President to Congress.
359. Effective date of Presidential recommendations.
360. Effect of Presidential recommendations on existing law and prior recommendations.
361. Publication of recommendations.

CHAPTER REFERRED TO IN OTHER SECTIONS

This chapter is referred to in title 3 section 104; title 5 sections 5312 to 5316.

§ 351. Establishment of Commission

There is hereby established a commission to be known as the Commission on Executive, Legislative, and Judicial Salaries (hereinafter referred to as the "Commission").

(Pub. L. 90-206, title II, § 225(a), Dec. 16, 1967, 81 Stat. 642.)

EFFECTIVE DATE

Chapter effective on Dec. 16, 1967, see section 220(a)(1) of Pub. L. 90-206, set out as a note under section 3110 of Title 5, Government Organization and Employees.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 31 of this title; title 11 section 68; title 28 sections 5, 44, 135, 173, 213, 252, 792.

§ 352. Membership of Commission; appointment; Chairman; term of office; vacancies; compensation; expenses; allowances

(1) The Commission shall be composed of nine members who shall be appointed from private life, as follows:

(A) three appointed by the President of the United States, one of whom shall be designated as Chairman by the President;

(B) two appointed by the President of the Senate;

(C) two appointed by the Speaker of the House of Representatives; and

(D) two appointed by the Chief Justice of the United States.

(2) The terms of office of persons first appointed as members of the Commission shall be for the period of the 1969 fiscal year of the Federal Government, except that, if any appointment to membership on the Commission is made after the beginning and before the close of such fiscal year, the term of office based on such appointment shall be for the remainder of such fiscal year.

(3) After the close of the 1969 fiscal year of the Federal Government, persons shall be appointed as members of the Commission with respect to every fourth fiscal year following the 1969 fiscal year. The terms of office of persons so appointed shall be for the period of the fiscal year with respect to which the appointment is made, except that, if any appointment is made after the beginning and before the close of any such fiscal year, the term of office based on such appointment shall be for the remainder of such fiscal year.

(4) A vacancy in the membership of the Commission shall be filled in the manner in which the original appointment was made.

(5) Each member of the Commission shall be paid at the rate of $100 for each day such member is engaged upon the work of the Commission and shall be allowed travel expenses, including a per diem allowance, in accordance with section 5703(b) of title 5, when engaged in the performance of services for the Commission.

(Pub. L. 90-206, title II, § 225(b), Dec. 16, 1967, 81 Stat. 643.)

REFERENCE IN TEXT

Section 5703 of title 5, referred to in par. (5), was amended generally by Pub. L. 94-22, May 19, 1975, § 4, 89 Stat. 85, and as so amended does not contain a subsec. (b).

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 31, 353, 356, 360 of this title; title 11 section 68; title 28 sections 5, 44, 135, 173, 213, 252, 792.

§ 353. Executive Director; additional personnel; detail of personnel of other agencies

(1) Without regard to the provisions of title 5 governing appointments in the competitive service, and the provisions of chapter 51 and subchapter III of chapter 53 of such title, relating to classification and General Schedule pay rates, and on a temporary basis for periods covering all or part of any fiscal year referred to in section 352(2) and (3) of this title—

(A) the Commission is authorized to appoint an Executive Director and fix his basic pay at the rate provided for level V of the Executive Schedule by section 5316 of title 5; and

(B) with the approval of the Commission, the Executive Director is authorized to appoint and fix the basic pay (at respective rates not in excess of the maximum rate of the General Schedule in section 5332 of title 5) of such additional personnel as may be necessary to carry out the function of the Commission.

(2) Upon the request of the Commission, the head of any department, agency, or establishment of any branch of the Federal Government is authorized to detail, on a reimbursable basis, for periods covering all or part of any fiscal year referred to in section 352(2) and (3) of this title, any of the personnel of such department, agency, or establishment to assist the Commission in carrying out its function.

(Pub. L. 90-206, title II, § 225(c), Dec. 16, 1967, 81 Stat. 643.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 31 of this title; title 11 section 68; title 28 sections 5, 44, 135, 173, 213, 252, 792.

§ 354. Use of United States mails by Commission

The Commission may use the United States mails in the same manner and upon the same conditions as other departments and agencies of the United States.

(Pub. L. 90-206, title II, § 225(d), Dec. 16, 1967, 81 Stat. 643.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 31 of this title; title 11 section 68; title 28 sections 5, 44, 135, 173, 213, 252, 792.

§ 355. Administrative support services

The Administrator of General Services shall provide administrative support services for the Commission on a reimbursable basis.

(Pub. L. 90-206, title II, § 225(e), Dec. 16, 1967, 81 Stat. 643.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 31 of this title; title 11 section 68; title 28 sections 5, 44, 135, 173, 213, 252, 792.

§ 356. Functions of Commission

The Commission shall conduct, in each of the respective fiscal years referred to in section 352 (2) and (3) of this title, a review of the rates of pay of—

(A) the Vice President of the United States, Senators, Members of the House of Representatives, the Resident Commissioner from Puerto Rico, the Speaker of the House of Representatives, the President pro tempore of the Senate, and the majority and minority leaders of the Senate and the House of Representatives;

(B) offices and positions in the legislative branch referred to in subsections (a), (b), (c), and (d) of section 203 of the Federal Legislative Salary Act of 1964 (78 Stat. 415; Public Law 88-426);

(C) justices, judges, and other personnel in the judicial branch referred to in sections 402(d) and 403 of the Federal Judicial Salary Act of 1964 (78 Stat. 434; Public Law 88-426);

(D) offices and positions under the Executive Schedule in subchapter II of chapter 53 of title 5; and

(E) the Governors of the Board of Governors of the United States Postal Service appointed under section 202 of title 39.

Such review by the Commission shall be made for the purpose of determining and providing—

(i) the appropriate pay levels and relationships between and among the respective offices and positions covered by such review, and

(ii) the appropriate pay relationships between such offices and positions and the offices and positions subject to the provisions of chapter 51 and subchapter III of chapter 53 of title 5, relating to classification and General Schedule pay rates.

(Pub. L. 90-206, title II, § 225(f), Dec. 16, 1967, 81 Stat. 643; Pub. L. 91-375, § 6(a), Aug. 12, 1970, 84 Stat. 775; Pub. L. 94-82, title II, § 206(a), Aug. 9, 1975, 89 Stat. 423.)

REFERENCES IN TEXT

The rates of pay of the offices and positions in the legislative branch, referred to in par. (B), are set out in sections 136a and 136a-1 of this title; sections 42a and 51a of Title 31, Money and Finance; sections 162a and 162b of Title 40, Public Buildings, Property, and Works; and section 303 of Title 44, Public Printing and Documents.

The rates of pay of justices, judges, and other personnel in the judicial branch, referred to in par. (C), are set out in section 867 of Title 10, Armed Forces; section 68 of Title 11, Bankruptcy; section 7443 of Title 26, Internal Revenue Code, and sections 5, 44, 135, 173, 213, 252, 603, and 792 of Title 28, Judiciary and Judicial Procedure.

AMENDMENTS

1975—Par. (A). Pub. L. 94-82 added "the Vice President of the United States" preceding "Senators", and "the Speaker of the House of Representatives, the President pro tempore of the Senate, and the majority and minority leaders of the Senate and the House of Representatives" following "Puerto Rico".

1970—Par. (E). Pub. L. 91-375 added par. (E).

EFFECTIVE DATE OF 1970 AMENDMENT

Amendment by Pub. L. 91-375 effective within 1 year after Aug. 12, 1970, on date established therefor by the Board of Governors of the United States Postal Service and published by it in the Federal Register, see section 15(a) of Pub. L. 91-375, set out as a note preceding section 101 of Title 39, Postal Service.

EFFECTIVE RATES OF PAY PENDING CHANGES IN RATES PURSUANT TO FEDERAL SALARY ACT OF 1967

Section 206(b) of Pub. L. 94-82 provided that: "Until such time as a change in the rate of pay of the offices referred to in the amendment made by subsection (a) of this section [amending par. (A) of this section] occurs under the provisions of the Federal Salary Act of 1967 (2 U.S.C. 351-361), as amended by subsection (a) of this section, such rates of pay shall be the rates of pay in effect immediately prior to the date of enactment of this Act [Aug. 9, 1975], as adjusted under sections 203 and 204 of this title [amending sections 31, 60a note, 136a and 136a-1 of this title, section 104 of Title 3, The President, sections 42a and 51a of Title 31, Money and Finance, sections 162a and 166b of Title 40, Public Buildings, Property, and Works, and section 303 of Title 44, Public Printing and Documents]."

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 31, 356a, 357, 358 of this title; title 11 section 68; title 28 sections 5, 44, 135, 173, 213, 252, 792.

§ 356a. Salary rate limitation for use of funds

No part of the funds appropriated in this Act or any other Act shall be used to pay the salary of an individual in a position or office referred

to in section 356 of this title, including a Delegate to the House of Representatives, at a rate which exceeds the salary rate in effect on September 30, 1976, for such position or office except increases submitted by the President pursuant to this chapter.

(Pub. L. 94-440, title II, § 100, Oct. 1, 1976, 90 Stat. 1446.)

REFERENCES IN TEXT

This Act, referred to in text, means the Legislative Branch Appropriation Act, 1977, Pub. L. 94-440, Oct. 1, 1976, 90 Stat. 1439. For distribution of such Act in the Code, see Tables volume.

CODIFICATION

Section was enacted as part of the Legislative Branch Appropriation Act, 1977, and not as a part of the Federal Salary Act of 1967 which comprises this chapter.

§ 357. Report to the President

The Commission shall submit to the President a report of the results of each review conducted by the Commission of the offices and positions within the purview of subparagraphs (A), (B), (C), and (D) of section 356 of this title, together with its recommendations. Each such report shall be submitted on such date as the President may designate but not later than January 1 next following the close of the fiscal year in which the review is conducted by the Commission.

(Pub. L. 90-206, title II, § 225(g), Dec. 16, 1967, 81 Stat. 644.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 31, 358 of this title; title 11 section 68; title 28 sections 5, 44, 135, 173, 213, 252, 792.

§ 358. Recommendations of the President to Congress

The President shall include, in the budget next transmitted by him to the Congress after the date of the submission of the report and recommendations of the Commission under section 357 of this title, his recommendations with respect to the exact rates of pay which he deems advisable, for those offices and positions within the purview of subparagraphs (A), (B), (C), and (D) of section 356 of this title. As used in this section, the term "budget" means the budget referred to in section 11 of title 31.

(Pub. L. 90-206, title II, § 225(h), Dec. 16, 1967, 81 Stat. 644.)

COMPENSATION AND EMOLUMENTS OF ATTORNEY GENERAL

Pub. L. 94-2, Feb. 18, 1975, 89 Stat. 4, provided in part that the compensation and other emoluments attached to the Office of the Attorney General on and after Feb. 4, 1975, shall be those that on or after Feb. 18, 1975, attach to offices and positions at level I of the Executive Schedule (section 5312 of Title 5).

SALARY RECOMMENDATIONS FOR 1977 INCREASES

Transmitted to Congress Jan. 17, 1977

42 F.R. 10297

As required by section 225 of the Federal Salary Act of 1967, Public Law 90-206 (2 U.S.C. 351 et seq.) [this chapter], the Commission on Executive, Legislative, and Judicial Salaries has submitted to the President recommendations on salaries for Senators, Representatives, Federal judges, Cabinet officers, and other agency heads, and certain other officials in the executive, legislative, and judicial branches.

The statute requires the President, in the budget next submitted by him after receipt of the report of the Commission, to set forth his recommendations for adjustment of these salaries. Under the statute, the President's recommendations become effective 30 days following transmittal of the budget, unless in the meantime other rates have been enacted by law or at least one House of Congress has enacted legislation which specifically disapproves all or part of the recommendations.

Accordingly, pursuant to section 225(h) of Public Law 90-206 (81 Stat. 644) [this section], the President recommends the following rates of pay for executive, legislative, and judicial offices and positions within the purview of subparagraphs (A), (B), (C), and (D) of subsection (f) of that section:

For the Vice President of the United States	$75,000
For offices and positions under the Executive Schedule in subchapter II of chapter 53 of title 5, United States Code, as follows:	
Positions at level I	66,000
Positions at level II	57,500
Positions at level III	52,500
Positions at level IV	50,000
Positions at level V	47,500
For Speaker of the House of Representatives	75,000
For the President Pro Tempore of the Senate, majority leader and minority leader of the Senate, and majority leader and minority leader of the House of Representatives	65,000
For Senators, Members of the House of Representatives, Delegate to the House of Representatives and the Resident Commissioner from Puerto Rico	57,500
For other officers and positions in the legislative branch as follows:	
Comptroller General of the United States	57,500
Deputy Comptroller General of the United States	52,500
The Public Printer, Librarian of Congress, Architect of the Capitol, and General Counsel of the General Accounting Office	50,000
The Deputy Public Printer, Deputy Librarian of Congress, and Assistant Architect of the Capitol	47,500
For Justices, judges and other personnel in the judicial branch as follows:	
Chief Justice of the United States	75,000
Associate Justices of the Supreme Court	72,000
Judges, Circuit Court of Appeals; judges, Court of Claims; judges, Court of Military Appeals; judges, Court of Customs and Patent Appeals	57,500
Judges, District Courts; judges, Customs Court; judges, Tax Court of the United States	54,500
Director of the Administrative Office of the U.S. Courts	54,500
Deputy Director of the Administrative Office of the U.S Courts; Commissioners, Court of Claims; referees in bankruptcy, full time (maximum)	48,500
Referees in bankruptcy part time (maximum)	24,200

SALARY RECOMMENDATIONS FOR 1969 INCREASES

Transmitted to Congress Jan. 15, 1969

34 F.R. 2241

Public Law 90-206, approved December 16, 1967 [this chapter], established the Commission on Executive, Legislative, and Judicial Salaries. The Commission is required to make recommendations to the President, at 4-year intervals, on the rates of pay for Senators, Representatives, Federal judges, Cabinet officers and other agency heads, and certain other officials in the executive, legislative, and judicial branches. The law requires that the President, in the budget next submitted by him after receipt of a report of the Commission, set forth his recommendations with respect to the exact rates of pay he deems advisable for those offices and positions covered by the law. The President's recommendations become effective 30 days following transmittal of the budget, unless in the meantime other rates have been enacted by law or at least one House of Congress has enacted legislation which specifically disapproves of all or part of the recommendations.

At the request of the President, the first report of the Commission was submitted to him in December 1968. The report has been considered by the President and, in accordance with section 225(h) of Public Law 90-206, approved December 16, 1967, 81 Stat. 644 [this section], the President recommends the following rates of pay for executive, legislative, and judicial offices and positions within the purview of subsection (f) of that section:

A. Senators, Members of the House of Representatives, and the Resident Commissioner from Puerto Rico	$42,500
B. For other offices and positions in the legislative branch, as follows:	
Comptroller General of the United States	$42,500
Assistant Comptroller General [now Deputy Comptroller General] of the United States	$40,000
General Counsel of the United States General Accounting Office, Librarian of Congress, Public Printer, Architect of the Capitol	$38,000
Deputy Librarian of Congress, Deputy Public Printer, Assistant Architect of the Capitol	$36,000
C. For justices, judges, and other personnel in the judicial branch, as follows:	
Chief Justice of the United States	$62,500
Associate Justices of the Supreme Court	$60,000
Judges, Circuit Court of Appeals; judges, Court of Claims; judges, Court of Military Appeals; judges, Court of Customs and Patent Appeals	$42,500
Judges, District Courts; judges, Customs Court; judges, Tax Court of the United States; Director of the Administrative Office of the United States Courts	$40,000
Deputy Director of the Administrative Office of the United States Courts; commissioners, Court of Claims; referees in bankruptcy, full-time (maximum)	$36,000
Referees in bankruptcy, part-time (maximum)	$18,000
D. For offices and positions under the Executive Schedule in subchapter II of chapter 53 of title 5, United States Code [sections 5311 to 5317 of title 5, Government Organization and Employees]:	
Positions at level I	$60,000
Positions at level II	$42,500
Positions at level III	$40,000
Positions at level IV	$38,000
Positions at level V	$36,000

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 31, 359 of this title; title 11 section 68; title 28 sections 5, 44, 135, 173, 213, 252, 792.

§ 359. Effective date of Presidential recommendations

(1) Except as provided in paragraph (2) of this section, all or part (as the case may be) of the recommendations of the President transmitted to the Congress in the budget under section 358 of this title shall become effective at the beginning of the first pay period which begins after the thirtieth day following the transmittal of such recommendations in the budget; but only to the extent that, between the date of transmittal of such recommendations in the budget and the beginning of such first pay period—

(A) there has not been enacted into law a statute which establishes rates of pay other than those proposed by all or part of such recommendations,

(B) neither House of the Congress has enacted legislation which specifically disapproves all or part of such recommendations, or

(C) both.

(2) Any part of the recommendations of the President may, in accordance with express provisions of such recommendations, be made operative on a date later than the date on which such recommendations otherwise are to take effect.

(Pub. L. 90-206, title II, § 225(i), Dec. 16, 1967, 81 Stat. 644.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 31, 360 of this title; title 11 section 68; title 28 sections 5, 44, 135, 173, 213, 252, 792.

§ 360. Effect of Presidential recommendations on existing law and prior recommendations

The recommendations of the President transmitted to the Congress immediately following a review conducted by the Commission in one of the fiscal years referred to in section 352(2) and (3) of this title shall be held and considered to modify, supersede, or render inapplicable, as the case may be, to the extent inconsistent therewith—

(A) all provisions of law enacted prior to the effective date or dates of all or part (as the case may be) of such recommendations (other than any provision of law enacted in the period specified in paragraph (1) of section 359 of this title with respect to such recommendations), and

(B) any prior recommendations of the President which take effect under this chapter.

(Pub. L. 90-206, title II, § 225(j), Dec. 16, 1967, 81 Stat. 644.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 31 of this title; title 11 section 68; title 28 sections 5, 44, 135, 173, 213, 252, 792.

§ 361. Publication of recommendations

The recommendations of the President which take effect shall be printed in the Statutes at Large in the same volume as public laws and shall be printed in the Federal Register and included in the Code of Federal Regulations.

(Pub. L. 90-206, title II, § 225(k), Dec. 16, 1967, 81 Stat. 644.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 31 of this title; title 11 section 68; title 28 sections 5, 44, 135, 173, 213, 252, 792.

CHAPTER 12—CONTESTED ELECTIONS

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§ 381. Definitions

For purposes of this chapter—

(a) The term "election" means an official general or special election to choose a Representative in or Resident Commissioner to the Congress of the United States, but does not include a primary election, or a caucus or convention of a political party.

(b) The term "candidate" means an individual (1) whose name is printed on the official ballot for election to the House of Representatives of the United States, or (2) notwithstanding his name is not printed on such ballot, who seeks election to the House of Representatives by write-in votes, provided that he is qualified for such office and that, under the law of the State in which the congressional district is located, write-in voting for such office is permitted and he is eligible to receive write-in votes in such election.

(c) The term "contestant" means an individual who contests the election of a Member of the House of Representatives of the United States under this chapter.

(d) The term "contestee" means a Member of the House of Representatives of the United States whose election is contested under this chapter.

(e) The term "Member" means an incumbent Representative in or Resident Commissioner to the Congress of the United States, or an individual who has been elected to either of such offices but has not taken the oath of office.

(f) The term "Clerk" means the Clerk of the House of Representatives of the United States.

(g) The term "committee" means the Committee on House Administration of the House of Representatives of the United States.

(h) The term "State" includes territory and possession of the United States.

(i) The term "write-in vote" means a vote cast for a person whose name does not appear on the official ballot by writing in the name of such person on such ballot or by any other method prescribed by the law of the State in which the election is held.

(Pub. L. 91-138, § 2, Dec. 5, 1969, 83 Stat. 284.)

EFFECTIVE DATE

Section 19 of Pub. L. 91-138 provided that: "The provisions of, and the repeals made by, this Act [enacting this chapter and provisions set out as notes under this section, and repealing sections 201 to 226 of this title] shall apply with respect to any general or special election for Representative in, or Resident Commissioner to, the Congress of the United States occurring after the date of enactment of this Act [Dec. 5, 1969]."

SHORT TITLE

Section 1 of Pub. L. 91-138 provided that: "This Act [enacting this chapter and provisions set out as notes under this section, and repealing sections 201 to 226 of this title] may be cited as the 'Federal Contested Elections Act'."

DELEGATE FROM DISTRICT OF COLUMBIA

Provisions of this chapter applicable, effective Sept. 22, 1970, with respect to Delegate to House of Representatives from District of Columbia in same manner and to same extent as applicable with respect to a Representative, see sections 204(a), 206(b) of Pub. L. 91-405, title II, Sept. 22, 1970, 84 Stat. 852, set out as notes under section 25 of this title.

§ 382. Notice of contest

(a) Filing of notice

Whoever, having been a candidate for election to the House of Representatives in the last preceding election and claiming a right to such office, intends to contest the election of a Member of the House of Representatives, shall, within thirty days after the result of such election shall have been declared by the officer of Board of Canvassers authorized by law to declare such result, file with the Clerk and serve upon the contestee written notice of his intention to contest such election.

(b) Contents and form of notice

Such notice shall state with particularity the grounds upon which contestant contests the election and shall state that an answer thereto must be served upon contestant under section 383 of this title within thirty days after service of such notice. Such notice shall be signed by contestant and verified by his oath or affirmation.

(c) Service of notice; proof of service

Service of the notice of contest upon contestee shall be made as follows:

(1) by delivering a copy to him personally;

(2) by leaving a copy at his dwelling house or usual place of abode with a person of discretion not less than sixteen years of age then residing therein;

(3) by leaving a copy at his principal office or place of business with some person then in charge thereof;

(4) by delivering a copy to an agent authorized by appointment to receive service of such notice; or

(5) by mailing a copy by registered or certified mail addressed to contestee at his residence or principal office or place of business. Service by mail is complete upon mailing;

(6) the verified return by the person so serving such notice, setting forth the time and manner of such service shall be proof of same, and the return post office receipt shall be proof of the service of said notice mailed by registered or certified mail as aforesaid. Proof of service shall be made to the Clerk promptly and in any event within the time during which the contestee must answer the notice of contest. Failure to make proof of service does not affect the validity of the service.

(Pub. L. 91-138, § 3, Dec. 5, 1969, 83 Stat. 284.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 383, 394 of this title.

§ 383. Response of contestee

(a) Answer

Any contestee upon whom a notice of contest as described in section 382 of this title shall be served, shall, within thirty days after the service thereof, serve upon contestant a written answer to such notice, admitting or denying the averments upon which contestant relies. If contestee is without knowledge or information sufficient to form a belief as to the truth of an averment, he shall so state and this shall have the effect of a denial. Such answer shall set forth affirmatively any other defenses, in law or fact, on which contestee relies. Contestee shall sign and verify such answer by oath or affirmation.

(b) Defenses by motion prior to answer

At the option of contestee, the following defenses may be made by motion served upon contestant prior to contestee's answer:

(1) Insufficiency of service of notice of contest.

(2) Lack of standing of contestant.

(3) Failure of notice of contest to state grounds sufficient to change result of election.

(4) Failure of contestant to claim right to contestee's seat.

(c) Motion for more definite statement

If a notice of contest to which an answer is required is so vague or ambiguous that the contestee cannot reasonably be required to frame a responsive answer, he may move for a more definite statement before interposing his answer. The motion shall point out the defects complained of and the details desired. If the motion is granted and the order of the committee is not obeyed within ten days after notice of the order or within such other time as the committee may fix, the committee may dismiss the action, or make such order as it deems just.

(d) Time for serving answer after service of motion

Service of a motion permitted under this section alters the time for serving the answer as follows, unless a different time is fixed by order of the committee: If the committee denies the motion or postpones its disposition until the hearing on the merits, the answer shall be served within ten days after notice of such action. If the committee grants a motion for a more definite statement the answer shall be served within ten days after service of the more definite statement.

(Pub. L. 91-138, § 4, Dec. 5, 1969, 83 Stat. 285.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 382, 386 of this title.

§ 384. Service and filing of papers other than notice of contest

(a) Modes of service

Except for the notice of contest, every paper required to be served shall be served upon the attorney representing the party, or, if he is not represented by an attorney, upon the party

himself. Service upon the attorney or upon a party shall be made:

(1) by delivering a copy to him personally;

(2) by leaving it at his principal office with some person then in charge thereof; or if the office is closed or the person to be served has no office, leaving it at his dwelling house or usual place of abode with a person of discretion not less than sixteen years of age then residing therein; or

(3) by mailing it addressed to the person to be served at his residence or principal office. Service by mail is complete upon mailing.

(b) Filing of papers with clerk

All papers subsequent to the notice of contest required to be served upon the opposing party shall be filed with the Clerk either before service or within a reasonable time thereafter.

(c) Proof of service

Papers filed subsequent to the notice of contest shall be accompanied by proof of service showing the time and manner of service, made by affidavit of the person making service or by certificate of an attorney representing the party in whose behalf service is made. Failure to make proof of service does not affect the validity of such service.

(Pub. L. 91-138, § 5, Dec. 5, 1969, 83 Stat. 286.)

§ 385. Default of contestee

The failure of contestee to answer the notice of contest or to otherwise defend as provided by this chapter shall not be deemed an admission of the truth of the averments in the notice of contest. Notwithstanding such failure, the burden is upon contestant to prove that the election results entitle him to contestee's seat.

(Pub. L. 91-138, § 6, Dec. 5, 1969, 83 Stat. 286.)

§ 386. Deposition

(a) Oral examination

Either party may take the testimony of any person, including the opposing party, by deposition upon oral examination for the purpose of discovery or for use as evidence in the contested election case, or for both purposes. Depositions shall be taken only within the time for the taking of testimony prescribed in this section.

(b) Scope of examination

Witnesses may be examined regarding any matter, not privileged, which is relevant to the subject matter involved in the pending contested election case, whether it relates to the claim or defense of the examining party or the claim or defense of the opposing party, including the existence, description, nature, custody, condition and location of any books, papers, documents, or other tangible things and the identity and location of persons having knowledge of relevant facts. After the examining party has examined the witness the opposing party may cross examine.

(c) Order and time of taking testimony

The order in which the parties may take testimony shall be as follows:

(1) Contestant may take testimony within thirty days after service of the answer, or, if no answer is served within the time provided in section 383 of this title, within thirty days after the time for answer has expired.

(2) Contestee may take testimony within thirty days after contestant's time for taking testimony has expired.

(3) If contestee has taken any testimony or has filed testimonial affidavits or stipulations under section 387(c) of this title, contestant may take rebuttal testimony within ten days after contestee's time for taking testimony has expired.

(d) Officer before whom testimony may be taken

Testimony shall be taken before an officer authorized to administer oaths by the laws of the United States or of the place where the examination is held.

(e) Subpena

Attendance of witnesses may be compelled by subpena as provided in section 388 of this title.

(f) Taking of testimony by party or his agent

At the taking of testimony, a party may appear and act in person, or by his agent or attorney.

(g) Conduct of examination; recordation of testimony; notation of objections; interrogatories

The officer before whom testimony is to be taken shall put the witness under oath and shall personally, or by someone acting under his direction and in his presence, record the testimony of the witness. The testimony shall be taken stenographically and transcribed. All objections made at the time of examination to the qualifications of the officer taking the deposition, or to the manner of taking it, or to the evidence presented, or the conduct of any party, and any other objection to the proceedings, shall be noted by the officer upon the deposition. Evidence objected to shall be taken subject to the objections. In lieu of participating in the oral examination, a party served with a notice of deposition may transmit written interrogatories to the officer, who shall propound them to the witness and record the answers verbatim.

(h) Examination of deposition by witness; signature of witness or officer; use of deposition

When the testimony is fully transcribed, the deposition shall be submitted to the witness for examination and shall be read to or by him, unless such examination and reading are waived by the witness and the parties. Any changes in the form or substance which the witness desires to make shall be entered upon the deposition by the officer with a statement of the reasons given by the witness for making them. The deposition shall be signed by the witness, unless the parties by stipulation waive the signing or the witness is ill or cannot be found or refuses to sign. If the deposition is not signed by the witness, the officer shall sign it and note on the deposition the fact of the waiver or of the illness or the absence of the witness or the fact of refusal to sign together with the reason, if any, given therefor; and the deposition may then be used as fully as though signed, unless on a motion to suppress, the committee rules that the reasons given for the refusal to sign require rejection of the deposition in whole or in part.

(Pub. L. 91-138, § 7, Dec. 5, 1969, 83 Stat. 286.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 387 of this title.

§ 387. Notice of depositions

(a) Time for service; form

A party desiring to take the deposition of any person upon oral examination shall serve written notice on the opposing party not later than two days before the date of the examination. The notice shall state the time and place for taking the deposition and the name and address of each person to be examined. A copy of such notice, together with proof of such service thereof, shall be attached to the deposition when it is filed with the Clerk.

(b) Testimony by stipulation

By written stipulation of the parties, the deposition of a witness may be taken without notice. A copy of such stipulation shall be attached to the deposition when it is filed with the Clerk.

(c) Testimony by affidavit; time for filing

By written stipulation of the parties, the testimony of any witness of either party may be filed in the form of an affidavit by such witness or the parties may agree what a particular witness would testify to if his deposition were taken. Such testimonial affidavits or stipulations shall be filed within the time limits prescribed for the taking of testimony in section 386 of this title.

(Pub. L. 91-138, § 8, Dec. 5, 1969, 83 Stat. 287.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 386 of this title.

§ 388. Subpena for attendance at deposition

(a) Issuance

Upon application of any party, a subpena for attendance at a deposition shall be issued by:

(1) a judge or clerk of the United States district court for the district in which the place of examination is located;

(2) a judge or clerk of any court of record of the State in which the place of examination is located; or

(3) a judge or clerk of any court of record of the county in which the place of examination is located.

(b) Time, method and proof of service

Service of the subpena shall be made upon the witness no later than three days before the day on which his attendance is directed. A subpena may be served by any person who is not a party to the contested election case and is not less than eighteen years of age. Service of a subpena upon a person named therein shall be made by delivering a copy thereof to such person and by tendering to him the fee for one day's attendance and the mileage allowed by section 389 of this title. Written proof of service shall be made under oath by the person making same and shall be filed with the Clerk.

(c) Place of examination

A witness may be required to attend an examination only in the county wherein he resides or is employed, or transacts his business in person, or is served with a subpena, or within forty miles of the place of service.

(d) Form

Every subpena shall state the name and title of the officer issuing same and the title of the contested election case, and shall command each person to whom it is directed to attend and give testimony at a time and place and before an officer specified therein.

(e) Production of documents

A subpena may also command the person to whom it is directed to produce the books, papers, documents, or other tangible things designated therein, but the committee, upon motion promptly made and in any event at or before the time specified in the subpena for compliance therewith, may (1) quash or modify the subpena if it is unreasonable or oppressive, or (2) condition denial of the motion upon the advancement by the party in whose behalf the subpena is issued of the reasonable cost of producing the books, papers, documents, or tangible things. In the case of public records or documents, copies thereof, certified by the person having official custody thereof, may be produced in lieu of the originals.

(Pub. L. 91-138, § 9, Dec. 5, 1969, 83 Stat. 288.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 386 of this title.

§ 389. Officer and witness fees

(a) Each judge, clerk of court, or other officer who issues any subpena or takes a deposition and each person who serves any subpena or other paper herein authorized shall be entitled to receive from the party at whose instance the service shall have been performed such fees as are allowed for similar services in the district courts of the United States.

(b) Witnesses whose depositions are taken shall be entitled to receive from the party at whose instance the witness appeared the same fees and travel allowance paid to witnesses subpenaed to appear before the House of Representatives or its committees.

(Pub. L. 91-138, § 10, Dec. 5, 1969, 83 Stat. 288.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 388 of this title.

§ 390. Penalty for failure to appear, testify or produce documents

Every person who, having been subpenaed as a witness under this chapter to give testimony or to produce documents, willfully makes default, or who, having appeared, refuses to answer any question pertinent to the contested election case, shall be deemed guilty of a misdemeanor punishable by fine of not more than $1,000 nor less than $100 or imprisonment for not less than one month nor more than twelve months, or both.

(Pub. L. 91-138, § 11, Dec. 5, 1969, 83 Stat. 288.)

§ 391. Certification and filing of depositions

(a) Sealing of papers; deposit with clerk

The officer before whom any deposition is taken shall certify thereon that the witness was duly sworn by him and that the deposition is a true record of the testimony given by the witness. He shall then securely seal the deposition,

together with any papers produced by the witness and the notice of deposition or stipulation, if the deposition was taken without notice, in an envelope endorsed with the title of the contested election case and marked "Deposition of (here insert name of witness)" and shall within thirty days after completion of the witness' testimony, file it with the Clerk.

(b) Notification of filing

After filing the deposition, the officer shall promptly notify the parties of its filing.

(c) Copy of deposition to parties or deponents

Upon payment of reasonable charges therefor, not to exceed the charges allowed in the district court of the United States for the district wherein the place of examination is located, the officer shall furnish a copy of deposition to any party or the deponent.

(Pub. L. 91-138, § 12, Dec. 5, 1969, 83 Stat. 289.)

§ 392. Record

(a) Hearing on papers, depositions and exhibits

Contested election cases shall be heard by the committee on the papers, depositions, and exhibits filed with the Clerk. Such papers, depositions, and exhibits shall constitute the record of the case.

(b) Appendix to contestant's brief

Contestant shall print as an appendix to his brief those portions of the record which he desires the committee to consider in order to decide the case and such other portions of the record as may be prescribed by the rules of the committee.

(c) Appendix to contestee's brief

Contestee shall print as an appendix to his brief those portions of the record not printed by contestant which contestee desires the committee to consider in order to decide the case.

(d) Contestant's brief; service on contestee

Within forty-five days after the time for both parties to take testimony has expired, contestant shall serve on contestee his printed brief of the facts and authorities relied on to establish his case together with his appendix.

(e) Contestee's brief; service on contestant

Within thirty days of service of contestant's brief and appendix, contestee shall serve on contestant his printed brief of the facts and authorities relied on to establish his case together with his appendix.

(f) Reply brief of contestant

Within ten days after service of contestee's brief and appendix, contestant may serve on contestee a printed reply brief.

(g) Form of briefs; number of copies served and filed

The form and length of the briefs, the form of the appendixes, and the number of copies to be served and filed shall be in accordance with such rules as the committee may prescribe.

(Pub. L. 91-138, § 13, Dec. 5, 1969, 83 Stat. 289.)

§ 393. Filing of pleadings, motions, depositions, appendixes, briefs and other papers

(a) Filings of pleadings, motions, depositions, appendixes, briefs, and other papers shall be accomplished by:

(1) delivering a copy thereof to the Clerk of the House of Representatives at his office in Washington, District of Columbia, or to a member of his staff at such office; or

(2) mailing a copy thereof, by registered or certified mail, addressed to the Clerk at the House of Representatives, Washington, District of Columbia: *Provided*, That if such copy is not actually received, another copy shall be filed within a reasonable time; and

(3) delivering or mailing, simultaneously with the delivery or mailing of a copy thereof under paragraphs (1) and (2) of this subsection, such additional copies as the committee may by rule prescribe.

(b) All papers filed with the Clerk pursuant to this chapter shall be promptly transmitted by him to the committee.

(Pub. L. 91-138, § 14, Dec. 5, 1969, 83 Stat. 289.)

§ 394. Computation of time

(a) Method of computing time

In computing any period of time prescribed or allowed by this chapter or by the rules or any order of the committee, the day of the act, event, or default after which the designated period of time begins to run shall not be included. The last day of the period so computed shall be included, unless it is a Saturday, a Sunday, or a legal holiday, in which event the period shall run until the end of the next day which is neither a Saturday, a Sunday, nor a legal holiday. When the period of time prescribed or allowed is less than seven days, intermediate Saturdays, Sundays, and legal holidays shall be excluded in the computation. For the purposes of this chapter, "legal holiday" shall mean New Year's Day, Washington's Birthday, Memorial Day, Independence Day, Labor Day, Veterans Day, Thanksgiving Day, Christmas Day, and any other day appointed as a holiday by the President or the Congress of the United States.

(b) Service by mail

Whenever a party has the right or is required to do some act or take some proceeding within a prescribed period after the service of a pleading, motion, notice, brief, or other paper upon him, which is served upon him by mail, three days shall be added to the prescribed period.

(c) Enlargement of time

When by this chapter or by the rules or any order of the committee an act is required or allowed to be done at or within a specified time, the committee, for good cause shown, may at any time in its discretion (1) with or without motion or notice, order the period enlarged if request therefor is made before the expiration of the period originally prescribed or as extended by a previous order, or (2) upon motion made after the expiration of the specified period, permit the act to be done where the failure to act was the result of excusable neglect, but it shall not extend the time for serving and filing the notice of contest under section 382 of this title.

(Pub. L. 91-138, § 15, Dec. 5, 1969, 83 Stat. 290.)

§ 395. Death of contestant

In the event of the death of the contestant, the contested election case shall abate.

(Pub. L. 91-138, § 16, Dec. 5, 1969, 83 Stat. 290.)

§ 396. Allowance of party's expenses

The committee may allow any party reimbursement from the contingent fund of the House of Representatives of his reasonable expenses of the contested election case, including reasonable attorneys fees, upon the verified application of such party accompanied by a complete and detailed account of his expenses and supporting vouchers and receipts.

(Pub. L. 91-138, § 17, Dec. 5, 1969, 83 Stat. 290.)

CHAPTER 13—JOINT COMMITTEE ON CONGRESSIONAL OPERATIONS

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(b) Membership.
(c) Vacancies.
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412. Duties of Joint Committee.
(a) Congressional improvements, study and recommendations; identification of court proceedings.
(b) Exercise of functions under section 416 of this title.
(c) Report to Congress.
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412a. Continuing study of jurisdiction of House standing committees by House members of Joint Committee; periodic report to House Committee on Rules; contents and purposes of report.
413. Powers of Joint Committee; rule making, majority requirement; subpenas, signature and service; administration of oaths.
414. Staff and Joint Committee: appointment, duties, pay, discharge; utilization of Government personnel, consultants, and experts.
415. Records of Joint Committee.
416. Office of Placement and Office Management.
(a) Supervision of Joint Committee; Director and other personnel: appointment, duties, pay, and termination of employment.
(b) Assistance in personnel hiring and office management.
(c) Use of facilities not required when inappropriate.
417. Expenses of Joint Committee; payment from contingent fund.

§ 411. Joint Committee on Congressional Operations

(a) Creation

There is hereby created a Joint Committee on Congressional Operations (hereafter in this chapter referred to as the "Joint Committee").

(b) Membership

The Joint Committee shall be composed of ten members as follows:

(1) five Members of the Senate, appointed by the President pro tempore of the Senate, three from the majority party and two from the minority party; and

(2) five Members of the House of Representatives appointed by the Speaker of the House of Representatives, three from the majority party and two from the minority party.

(c) Vacancies

Vacancies in the membership of the Joint Committee shall not affect the power of the remaining members to execute the functions of the Joint Committee and shall be filled in the same manner as in the case of the original appointment.

(d) Chairman and vice chairman; selection

The Joint Committee shall select a chairman and a vice chairman from among its members at the beginning of each Congress. The vice chairman shall act in the place and stead of the chairman in the absence of the chairman. The chairmanship and the vice chairmanship shall alternate between the Senate and the House of Representatives with each Congress. The chairman during each even-numbered Congress shall be selected by the Members of the House of Representatives on the Joint Committee from among their number and the chairman during each odd-numbered Congress shall be selected by the Members of the Senate on the Joint Committee from among their number. The vice chairman during each Congress shall be chosen in the same manner from that House of Congress other than the House of Congress of which the chairman is a Member.

(Pub. L. 91-510, title IV, § 401, Oct. 26, 1970, 84 Stat. 1187.)

Effective Date

Chapter effective immediately prior to noon on Jan. 3, 1971, see section 601(1) of Pub. L. 91-510, set out as a note under section 72a of this title.

§ 412. Duties of Joint Committee

(a) Congressional improvements, study and recommendations; identification of court proceedings

The Joint Committee shall—

(1) make a continuing study of the organization and operation of the Congress of the United States and shall recommend improvements in such organization and operation with a view toward strengthening Congress, simplifying its operations, improving its relationships with other branches of the United States Government, and enabling it better to meet its responsibilities under the Constitution of the United States; and

(2) identify any court proceeding or action which, in the opinion of the Joint Committee, is of vital interest to the Congress, or to either House of the Congress, as a constitutionally established institution of the Federal Government and call such proceeding or action to the attention of that House of the Congress which is specifically concerned or to both Houses of the Congress if both Houses are concerned.

(b) Exercise of functions under section 416 of this title

The Joint Committee shall exercise all functions vested in it by section 416 of this title.

(c) Report to Congress

The Joint Committee shall report, from time to time, to the Senate and the House of Representatives their recommendations with respect to matters within the jurisdiction of the Joint Committee.

(d) Excepted matters

Nothing in this chapter shall be construed to authorize the Joint Committee to make any recommendations with respect to the rules, parliamentary procedure, practices, or precedents of either House or the consideration of any matter on the floor of either House.

(Pub. L. 91-510, title IV, § 402, Oct. 26, 1970, 84 Stat. 1187.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 414 of this title.

§ 412a. Continuing study of jurisdiction of House standing committees by House members of Joint Committee; periodic report to House Committee on Rules; contents and purposes of report

The House members of the Joint Committee on Congressional Operations shall undertake and conduct a continuing study of the jurisdiction of the various standing committees of the House under Rule X of the Rules of the House and the relative workloads sustained by such committees as a result thereof, and periodically shall prepare for submission to and consideration by the Committee on Rules (and for possible submission by that committee to the full House) a report including any recommended changes in the Rules of the House which may be necessary or appropriate to effect a more equitable distribution of workload or a more rational combination of jurisdictional responsibilities. It is the sense of the House of Representatives that the House members of the Joint Committee on Congressional Operations should work with the Senate members of such joint committee in an effort to rationalize the committee jurisdiction between the Houses.

(Pub. L. 93-554, title I, ch. III, § 101, Dec. 27, 1974, 88 Stat. 1777.)

CODIFICATION

Section is based on section 206 of House Resolution No. 988, Oct. 8, 1974, which was enacted into permanent law by Pub. L. 93-554.

EFFECTIVE DATE

Section 101 of Pub. L. 93-554 provided in part that the enactment of House Resolution No. 988, Ninety-third Congress, into permanent law is effective on Jan. 2, 1975. This section is derived from enactment into permanent law of section 206 of House Res. No. 988.

§ 413. Powers of Joint Committee; rule making, majority requirement; subpenas, signature and service; administration of oaths

The Joint Committee, or any duly authorized subcommittee thereof, is authorized to sit and act at such places and times during the sessions, recesses, and adjourned periods of Congress, to require by subpena or otherwise the attendance of such witnesses and the production of such books, papers, and documents, to administer such oaths and affirmations, to take such testimony, to procure such printing and binding, and to make such expenditures, as it deems advisable. The Joint Committee may make such rules respecting its organization and procedures as it deems necessary, except that no recommendation shall be reported from the Joint Committee unless a majority of the Joint Committee assent. Subpenas may be issued over the signature of the chairman of the Joint Committee or of any member designated by him or by the Joint Committee, and may be served by such person or persons as may be designated by such chairman or member. The chairman of the Joint Committee or any member thereof may administer oaths or affirmations to witnesses.

(Pub. L. 91-510, title IV, § 403, Oct. 26, 1970, 84 Stat. 1188.)

§ 414. Staff of Joint Committee: appointment, duties, pay, discharge; utilization of Government personnel, consultants, and experts

(a) In carrying out its functions under subsections (a) and (c) of section 412 of this title, the Joint Committee is authorized, by record vote of a majority of the members of the Joint Committee—

(1) to appoint, on a permanent basis, without regard to political affiliation and solely on the basis of fitness to perform their duties, not more than six professional staff members and not more than six clerical staff members;

(2) to prescribe their duties and responsibilities;

(3) to fix their pay at respective per annum gross rates not in excess of the highest rate of basic pay, as in effect from time to time, of the General Schedule of section 5332(a) of title 5, and

(4) to terminate their employment as the Joint Committee may deem appropriate.

(b) In carrying out any of its functions under this chapter, the Joint Committee is authorized to utilize the services, information, facilities, and personnel of the department and establishments of the Government, and to procure the temporary (not to exceed one year) or intermittent services of experts or consultants or organizations thereof by contract at rates of pay not in excess of the per diem equivalent of the highest rate of basic pay set forth in the General Schedule of section 5332 of title 5, including payment of such rates for necessary traveltime.

(Pub. L. 91-510, title IV, § 404, Oct. 26, 1970, 84 Stat. 1188.)

§ 415. Records of Joint Committee

The Joint Committee shall keep a complete record of all Joint Committee actions, including a record of the votes on any question on which a record vote is demanded. All records, data, charts, and files of the Joint Committee shall be the property of the Joint Committee and shall be kept in the offices of the Joint Committee or such other places as the Joint Committee may direct.

(Pub. L. 91-510, title IV, § 405, Oct. 26, 1970, 84 Stat. 1188.)

§ 416. Office of Placement and Office Management

(a) Supervision of Joint Committee; Director and other personnel: appointment, duties, pay, and termination of employment

There is hereby established for the Congress an Office of Placement and Office Management which shall be subject to the supervision and control of the Joint Committee. The Joint Committee is authorized, by record vote of a

majority of the members of the Joint Committee—

(1) to appoint, on a permanent basis, without regard to political affiliation, and soley on the basis of fitness to perform his duties, a Director of the Office of Placement and Office Management to serve as the head of the staff of the Office and such personnel as the Joint Committee deems necessary;

(2) to prescribe their duties and responsibilities;

(3) to fix their pay at respective per annum gross rates not in excess of the highest rate of basic pay, as in effect from time to time of the General Schedule of section 5332(a) of title 5; and

(4) to terminate their employment, as the Joint Committee may deem appropriate.

(b) Assistance in personnel hiring and office management

It shall be the duty of the Office, upon request, to assist Members, committees, and officers of the Senate and House of Representatives seeking competent personnel with specified qualifications and to furnish advice and information with respect to office management procedures.

(c) Use of facilities not required when inappropriate

Nothing in this section shall be held or considered to require the use of the facilities of the Office by any Member, committee, or officer of the Senate or House of Representatives, if, in the opinion of such Member, committee, or officer, the use of such facilities is inappropriate.

(Pub. L. 91-510, title IV, § 406, Oct. 26, 1970, 84 Stat. 1189.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 412 of this title.

§ 417. Expenses of Joint Committee; payment from contingent fund

The expenses of the Joint Committee shall be paid from the contingent fund of the House of Representatives, from funds appropriated for the Joint Committee, upon vouchers approved by the chairman.

(Pub. L. 91-510, title IV, § 407, Oct. 26, 1970, 84 Stat. 1189.)

CHAPTER 14—FEDERAL ELECTION CAMPAIGNS

SUBCHAPTER I—DISCLOSURE OF FEDERAL CAMPAIGN FUNDS

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CHAPTER REFERRED TO IN OTHER SECTIONS

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SUBCHAPTER I—DISCLOSURE OF FEDERAL CAMPAIGN FUNDS

SUBCHAPTER REFERRED TO IN OTHER SECTIONS

This subchapter is referred to in section 455 of this title.

§ 431. Definitions

When used in this subchapter and subchapter II of this chapter—

(a) "election" means (1) a general, special, primary, or runoff election, (2) a convention or caucus of a political party which has authority to nominate a candidate, (3) a primary election held for the selection of delegates to a national nominating convention of a political party, and (4) a primary election held for the expression of a preference for the nomination of persons for election to the office of President;

(b) "candidate" means an individual who seeks nomination for election, or election, to Federal office, whether or not such individual

is elected, and, for purposes of this paragraph, an individual shall be deemed to seek nomination for election, or election, if he has (1) taken the action necessary under the law of a State to qualify himself for nomination for election, or election, to Federal office, or (2) received contributions or made expenditures, or has given his consent for any other person to receive contributions or make expenditures, with a view to bringing about his nomination for election, or election, to such office;

(c) "Federal office" means the office of President or Vice President of the United States; or of Senator or Representative in, or Delegate or Resident Commissioner to, the Congress of the United States;

(d) "political committee" means any committee, club, association, or other group of persons which receives contributions or makes expenditures during a calendar year in an aggregate amount exceeding $1,000;

(e) "contribution"—

(1) means a gift, subscription, loan, advance, or deposit of money or anything of value made for the purpose of—

(A) influencing the nomination for election, or election, of any person to Federal office or for the purpose of influencing the results of a primary held for the selection of delegates to a national nominating convention of a political party, or

(B) influencing the result of an election held for the expression of a preference for the nomination of persons for election to the office of President of the United States;

(2) means a written contract, promise, or agreement, whether or not legally enforceable, to make a contribution for such purposes;

(3) means funds received by a political committee which are transferred to such committee from another political committee or other source;

(4) means the payment, by any person other than a candidate or a political committee, of compensation for the personal services of another person which are rendered to such candidate or political committee without charge for any such purpose, except that this paragraph shall not apply in the case of legal or accounting services rendered to or on behalf of the national committee of a political party (unless the person paying for such services is a person other than the regular employer of the individual rendering such services), other than services attributable to activities which directly further the election of a designated candidate or candidates to Federal office, nor shall this paragraph apply in the case of legal or accounting services rendered to or on behalf of a candidate or political committee solely for the purpose of insuring compliance with the provisions of this Act or chapter 95 or chapter 96 of title 26 (unless the person paying for such services is a person other than the regular employer of the individual rendering such services), but amounts paid or incurred for such legal or accounting services shall be reported in accordance with the requirements of section 434(b) of this title; but

(5) does not include—

(A) the value of services provided without compensation by individuals who volunteer a portion or all of their time on behalf of a candidate or political committee;

(B) the use of real or personal property and the cost of invitations, food, and beverages, voluntarily provided by an individual to a candidate in rendering voluntary personal services on the individual's residential premises for candidate-related activities;

(C) the sale of any food or beverage by a vendor for use in a candidate's campaign at a charge less than the normal comparable charge, if such charge for use in a candidate's campaign is at least equal to the cost of such food or beverage to the vendor;

(D) any unreimbursed payment for travel expenses made by an individual who on his own behalf volunteers his personal services to a candidate;

(E) the payment by a State or local committee of a political party of the costs of preparation, display, or mailing or other distribution incurred by such committee with respect to a printed slate card or sample ballot, or other printed listing, or 3 or more candidates for any public office for which an election is held in the State in which such committee is organized, except that this clause shall not apply in the case of costs incurred by such committee with respect to a display of any such listing made on broadcasting stations, or in newspapers, magazines or other similar types of general public political advertising;

(F) any payment made or obligation incurred by a corporation or a labor organization which, under the provisions of section 441b(b) of this title, would not constitute an expenditure by such corporation or labor organization;

(G) a loan of money by a national or State bank made in accordance with the applicable banking laws and regulations and in the ordinary course of business, but such loans—

(i) shall be reported in accordance with the requirements of section 434(b) of this title; and

(ii) shall be considered a loan by each endorser or guarantor, in that proportion of the unpaid balance thereof that each endorser or guarantor bears to the total number of endorsers or guarantors; or

(H) a gift, subscription, loan, advance, or deposit of money or anything of value to a national committee of a political party or a State committee of a political party which is specifically designated for the purpose of defraying any cost incurred with respect to the construction or purchase of any office facility which is not acquired for the purpose of influencing the election of any candidate in any

particular election for Federal office, except that any such gift, subscription, loan, advance, or deposit of money or anything of value, and any such cost, shall be reported in accordance with section 434(b) of this title; or

(I) any honorarium (within the meaning of section 441i of this title);

to the extent that the cumulative value of activities by any person on behalf of any candidate under each of clauses (B), (C), and (D) does not exceed $500 with respect to any election;

(f) "expenditure"—

(1) means a purchase, payment, distribution, loan, advance, deposit, or gift of money or anything of value, made for the purpose of—

(A) influencing the nomination for election, or the election, of any person to Federal office, or to the office of presidential and vice-presidential elector; or

(B) influencing the results of a primary election held for the selection of delegates to a national nominating convention of a political party or for the expression of a preference for the nomination of persons for election to the office of President of the United States;

(2) means a contract, promise, or agreement, express or implied, whether or not legally enforceable, to make any expenditure;

(3) means the transfer of funds by a political committee to another political committee; but

(4) does not include—

(A) any news story, commentary, or editorial distributed through the facilities of any broadcasting station, newspaper, magazine, or other periodical publication, unless such facilities are owned or controlled by any political party, political committee, or candidate;

(B) nonpartisan activity designed to encourage individuals to register to vote or to vote;

(C) any communication by any membership organization or corporation to its members or stockholders, if such membership organization or corporation is not organized primarily for the purpose of influencing the nomination for election, or election, of any person to Federal office, except that the costs incurred by a membership organization, including a labor organization, or by a corporation, directly attributable to a communication expressly advocating the election or defeat of a clearly identified candidate (other than a communication primarily devoted to subjects other than the express advocacy of the election or defeat of a clearly identified candidate) shall, if those costs exceed $2,000 per election, be reported to the Commission;

(D) the use of real or personal property and the cost of invitations, food, and beverages, voluntarily provided by an individual to a candidate in rendering voluntary personal services on the individual's residential premises for candidate-related activities if the cumulative value of such activities by such individual on behalf of any candidate do not exceed $500 with respect to any election;

(E) any unreimbursed payment for travel expenses made by an individual who on his own behalf volunteers his personal services to a candidate if the cumulative amount for such individual incurred with respect to such candidate does not exceed $500 with respect to any election;

(F) any communication by any person which is not made for the purpose of influencing the nomination for election, or election, of any person to Federal office;

(G) the payment by a State or local committee of a political party of the costs of preparation, display, or mailing or other distribution incurred by such committee with respect to a printed slate card or sample ballot, or other printed listing, of 3 or more candidates for any public office for which an election is held in the State in which such committee is organized, except that this clause shall not apply in the case of costs incurred by such committee with respect to a display of any such listing made on broadcasting stations, or in newspapers, magazines or other similar types of general public political advertising;

(H) any payment made or obligation incurred by a corporation or a labor organization which, under the provisions of section 441b(b) of this title, would not constitute an expenditure by such corporation or labor organization;

(I) any costs incurred by a candidate in connection with the solicitation of contributions by such candidate, except that this clause shall not apply with respect to costs incurred by a candidate in excess of an amount equal to 20 percent of the expenditure limitation applicable to such candidate under section 441a(b) of this title, but all such costs shall be reported in accordance with section 434(b) of this title;

(J) the payment, by any person other than a candidate or political committee, of compensation for legal or accounting services rendered to or on behalf of the national committee of a political party (unless the person paying for such services is a person other than the regular employer of the individual rendering such services), other than services attributable to activities which directly further the election of a designated candidate or candidates to Federal office, or the payment for legal or accounting services rendered to or on behalf of a candidate or political committee solely for the purpose of insuring compliance with the provisions of this Act or of chapter 95 or chapter 96 of title 26 (unless the person paying for such services is a person other than the regular employer of the individual rendering such services), but amounts paid or incurred for such legal or accounting services shall be reported under section 434(b) of this title; or

(K) a loan of money by a national or State bank made in accordance with the applicable banking laws and regulations and in the ordinary course of business, but such loan shall be reported in accordance with section 434(b) of this title;

(g) "Commission" means the Federal Election Commission;

(h) "person" means an individual, partnership, committee, association, corporation, labor organization, and any other organization or group of persons;

(i) "State" means each State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, and any territory or possession of the United States;

(j) "identification" means—

(1) in the case of an individual, his full name and the full address of his principal place of residence; and

(2) in the case of any other person, the full name and address of such person;

(k) "national committee" means the organization which, by virtue of the bylaws of a political party, is responsible for the day-to-day operation of such political party at the national level, as determined by the Commission;

(*l*) "State committee" means the organization which, by virtue of the bylaws of a political party, is responsible for the day-to-day operation of such political party at the State level, as determined by the Commission;

(m) "political party" means an association, committee, or organization which nominates a candidate for election to any Federal office, whose name appears on the election ballot as the candidate of such association, committee, or organization;

(n) "principal campaign committee" means the principal campaign committee designated by a candidate under section 432(e)(1) of this title;

(*o*) "Act" means the Federal Election Campaign Act of 1971 as amended by the Federal Election Campaign Act Amendments of 1974 and the Federal Election Campaign Act Amendments of 1976;

(p) "independent expenditure" means an expenditure by a person expressly advocating the election or defeat of a clearly identified candidate which is made without cooperation or consultation with any candidate or any authorized committee or agent of such candidate and which is not made in concert with, or at the request or suggestion of, any candidate or any authorized committee or agent of such candidate; and

(q) "clearly identified" means that (1) the name of the candidate appears; (2) a photograph or drawing of the candidate appears; or (3) the identity of the candidate is apparent by unambiguous reference.

(Pub. L. 92-225, title III, § 301, Feb. 7, 1972, 86 Stat. 11; Pub. L. 93-443, title II, §§ 201(a), 208(c)(1), Oct. 15, 1974, 88 Stat. 1272, 1286; Pub. L. 94-283, title I, §§ 102, 115(d), (h), May 11, 1976, 90 Stat. 478, 495, 496.)

REFERENCES IN TEXT

This Act, referred to in subsecs. (e)(4) and (f)(4)(J), means the Federal Election Campaign Act of 1971, Pub. L. 92-225. For classification of the Act in the Code, see Short Title notes under section 431 of this title.

The Federal Election Campaign Act of 1971, the Federal Election Campaign Act Amendments of 1974, and the Federal Election Campaign Act Amendments of 1976, referred to in subsec. (*o*), are, respectively, Pub. L. 92-225, Pub. L. 93-443, and Pub. L. 94-283. See Short Title notes under this section.

AMENDMENTS

1976—Subsec. (a)(2). Pub. L. 94-283, § 102(a), substituted "party which has authority to nominate" for "party held to nominate".

Subsec. (e)(2). Pub. L. 94-283, § 102(b), substituted "written contract, promise, or agreement," for "contract, promise, or agreement, expressed or implied,".

Subsec. (e)(4). Pub. L. 94-283, § 102(c), inserted provisions establishing an exception for legal or accounting services.

Subsec. (e)(5). Pub. L. 94-283, §§ 102(d), (e), 115(d)(1), substituted "section 441b(b) of this title" for "the last paragraph of section 610 of title 18, United States Code" in cl. (F), added cls. (G), (H), and (I), and, in the provisions following cl. (I), substituted "person" for "individual".

Subsec. (f)(4). Pub. L. 94-283, §§ 102(f), 115(d)(2), inserted provisions in cl. (C) requiring the reporting to the Commission of costs directly attributable to a communication expressly advocating the election or defeat of a clearly identifiable candidate if those costs should exceed $2,000 per election, substituted "section 441b(b) of this title" for "the last paragraph of section 610 of title 18, United States Code" in cl. (H), and added cls. (I), (J), and (K).

Subsec. (n). Pub. L. 94-283, § 115(h), substituted "section 432(e)(1) of this title" for "section 432(f)(1) of this title".

Subsec. (*o*) to (q). Pub. L. 94-283, § 102(g)(3), added subsecs. (*o*) to (q).

1974—Pub. L. 93-443, § 201(a)(1), inserted introductory reference to title IV of this Act, which for purposes of codification is translated as subchapter II of this chapter.

Subsec. (a)(5). Pub. L. 93-443, § 201(a)(2), deleted from definition of "election" the election of delegates to a constitutional convention for proposing amendments to the Constitution of the United States.

Subsec. (d). Pub. L. 93-443, § 201(a)(3), inserted reference to "club," preceding "association" and substituted "other group of persons" and "receives" for "organization" and "accepts".

Subsec. (e). Pub. L. 93-443, § 201(a)(4), transferred the word "means" following introductory word "contribution" to become the initial word in pars. (1) to (4); in par. (1), incorporated existing provisions in provisions designated subpars. (A) and (B), and deleted former provisions respecting contributions for the purpose of influencing the nomination for election, or election, of any person as a presidential election or for the purpose of influencing the election of delegates to a constitutional convention for proposing amendments to the Constitution of the United States; in par. (2), provided for express or implied transactions; in par. (3), substitution of "funds received by a political committee which are transferred to such committee from another political committee or other source" for "a transfer of funds between political committees"; inserted at end of par. (4) the word "but"; and added par. (5.)

Subsec. (f). Pub. L. 93-443, § 201(a)(5), transferred the word "means" following introductory word "expenditure" to become the initial word in pars. (1) to (3); in par. (1), incorporated existing provisions in provisions designated subpars. (A) to (C) and deleted end text reading ", or for the purpose of influencing the election of delegates to a constitutional convention for proposing amendments to the Constitution of the

United States"; in par. (2), provided for express or implied transactions; in par. (3), substituted "the transfer of funds by a political committee to another political committee; but" for "a transfer of funds between political committees"; and added par. (4).

Subsec. (g). Pub. L. 93-443, § 208(c)(1), substituted definition of "Commission" for "supervisory officer".

Subsecs. (j) to (n). Pub. L. 93-443, § 201(a)(6) to (8), added subsecs. (j) to (n).

EFFECTIVE DATE OF 1974 AMENDMENT

Section 410 of Pub. L. 93-443 provided that:

"(a) Except as provided by subsection (b) and subsection (c), the foregoing provisions of this Act [enacting sections 437a to 437h, 439a to 439c, 455 and 456 of this title sections 614 to 617 of Title 18, and sections 9031 to 9042 of Title 26, amending sections 431 to 437, 438, 439, 451 to 453 of this title, sections 1501 to 1503 of Title 5, sections 591, 608, 610, 611, and 613 of Title 18, sections 276, 6012, and 9002 to 9012 of Title 26, and section 315 of Title 47, repealing section 440 of Title 2, section 9021 of Title 26, and sections 801 to 805 of Title 47, and enacting provisions set out as notes under sections 431, 434, 437c, and 438 of this title, sections 591 and 608 of Title 18, and section 9006 of Title 26] shall become effective January 1, 1975.

"(b) Section 104 [set out as a note under section 591 of Title 18] and the amendment made by section 301 [to section 453 of this title] shall become effective on the date of the enactment of this Act [Oct. 15, 1974].

"(c)(1) The amendments made by sections 403(a), 404, 405, 406, 408, and 409 [enacting sections 9031 to 9042, amending sections 276(c), (d), 9002(1), (3), (11), 9003(a), (b), 9004(a)(1), (2)(A), (3), 9005, 9006(a), (c), (d), 9007(a) to (c), 9008, 9009(a) to (c), 9010(a) to (d), 9011(a), (b), and 9012(a), (a)(1), (c)(2), (3), (d)(1), (e)(1), (3), and repealing section 9021 of Title 26] shall apply with respect to taxable years beginning after December 31, 1974.

"(2) The amendment made by section 407 [to section 6012(a) of Title 26] shall apply with respect to taxable years beginning after December 31, 1971."

EFFECTIVE DATE

Section 408, formerly 406 of Pub. L. 92-225 as renumbered Pub. L. 93-443, title III, § 302, Oct. 15, 1974, 88 Stat. 1289, provided that: "Except as provided in section 401 of this Act [classified to section 451 of this title], the provisions of this Act [see Short Title note under this section] shall become effective on December 31, 1971, or sixty days after the date of enactment of this Act [Feb. 7, 1972], whichever is later."

SHORT TITLE OF 1976 AMENDMENT

Section 1 of Pub. L. 94-283 provided that: "This Act [enacting sections 441a to 441j of this title, amending this section and sections 432, 434, 436, 437b to 439c, and 455 of this title, section 591 of Title 18, Crimes and Criminal Procedure, and sections 9002, 9003, 9004, 9006, 9007, 9008, 9009, 9012, 9032, 9033, 9034, 9035, and 9039 of Title 26, Internal Revenue Code of 1954, repealing sections 437a, 441, and 456 of this title and sections 608, 610, 611, 612, 613, 614, 615, 616, and 617 of Title 18, and enacting provisions set out as notes under sections 437c, 437f, and 441 of this title and sections 9002, 9004, and 9035 of Title 26] may be cited as the 'Federal Election Campaign Act Amendments of 1976'."

SHORT TITLE OF 1974 AMENDMENT

Section 1 of Pub. L. 93-443 provided: "That this Act [which enacted sections 437a to 437h, 439a to 439c, 455, and 456 of this title, sections 614 to 617 of Title 18, and sections 9031 to 9042 of Title 26; amended sections 431 to 437, 438, 439 and 451 to 453 of this title, sections 1501 to 1503 of Title 5, sections 591, 608, 610, 611, and 613 of Title 18, sections 276, 6012, 9002 to 9012 of Title 26, and section 315 of Title 47; repealed section 440 of this title, section 9021 of Title 26, and sections 801 to 805 of Title 47; and enacted provisions set out as notes under sections 431, 434, 437c, and 438 of this title, sections 591 and 608 of Title 18, and section 9006 of Title 26] may be cited as the 'Federal Election Campaign Act Amendments of 1974'."

SHORT TITLE

Section 1 of Pub. L. 92-225 provided: "That this Act [which enacted this chapter and chapter 7 of Title 47, amended sections 591, 600, 608, 610, and 611 of Title 18 and sections 312 and 315 of Title 47, repealed sections 241 to 256 of this title and section 609 of Title 18, and enacted provisions set out as notes under this section and section 801 of Title 47] may be cited as the 'Federal Election Campaign Act of 1971'."

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 437a of this title; title 22 section 901a; title 26 section 6012; title 42 sections 2943, 5043.

§ 432. Organization of political committees

(a) Chairman; treasurer; vacancies; official authorizations

Every political committee shall have a chairman and a treasurer. No contribution and no expenditure shall be accepted or made by or on behalf of a political committee at a time when there is a vacancy in the office of chairman or treasurer thereof. No expenditure shall be made for or on behalf of a political committee without the authorization of its chairman or treasurer, or their designated agents.

(b) Account of contributions; segregated funds

Every person who receives a contribution in excess of $50 for a political committee shall, on demand of the treasurer, and in any event within five days after receipt of such contribution, render to the treasurer a detailed account thereof, including the amount of the contribution and the identification of the person making such contribution, and the date on which received. All funds of a political committee shall be segregated from, and may not be commingled with, any personal funds of officers, members, or associates of such committee.

(c) Recordkeeping

It shall be the duty of the treasurer of a political committee to keep a detailed and exact account of—

(1) all contributions made to or for such committee;

(2) the identification of every person making a contribution in excess of $50, and the date and amount thereof and, if a person's contributions aggregate more than $100, the account shall include occupation, and the principal place of business (if any);

(3) all expenditures made by or on behalf of such committee; and

(4) the identification of every person to whom any expenditure is made, the date and amount thereof and the name and address of, and office sought by, each candidate on whose behalf such expenditure was made.

(d) Receipts; preservation

It shall be the duty of the treasurer to obtain and keep a receipted bill, stating the particulars, for every expenditure made by or on behalf of a political committee in excess of $100 in amount, and for any such expenditure in a lesser amount, if the aggregate amount of such expenditures to the same person during a calen-

dar year exceeds $100. The treasurer shall preserve all receipted bills and accounts required to be kept by this section for periods of time to be determined by the Commission.

(e) Principal campaign committees; one candidate limitation; office of President: national committee for candidate; duties

(1) Each individual who is a candidate for Federal office (other than the office of Vice President of the United States) shall designate a political committee to serve as his principal campaign committee. No political committee may be designated as the principal campaign committee of more than one candidate, except that the candidate for the office of President of the United States nominated by a political party may designate the national committee of such political party as his principal campaign committee. Except as provided in the preceding sentence, no political committee which supports more than one candidate may be designated as a principal campaign committee. Any occasional, isolated, or incidental support of a candidate shall not be construed as support of such candidate for purposes of the preceding sentence.

(2) Notwithstanding any other provision of this subchapter, each report or statement of contributions received or expenditures made by a political committee (other than a principal campaign committee) which is required to be filed with the Commission under this subchapter shall be filed instead with the principal campaign committee for the candidate on whose behalf such contributions are accepted or such expenditures are made.

(3) It shall be the duty of each principal campaign committee to receive all reports and statements required to be filed with it under paragraph (2) of this subsection and to compile and file such reports and statements, together with its own reports and statements, with the Commission in accordance with the provisions of this subchapter.

(Pub. L. 92-225, title III, § 302, Feb. 7, 1972, 86 Stat. 12; Pub. L. 93-443, title II, §§ 202, 208(c)(2), Oct. 15, 1974, 88 Stat. 1275, 1286; Pub. L. 94-283, title I, § 103, May 11, 1976, 90 Stat. 480.)

AMENDMENTS

1976—Subsec. (b). Pub. L. 94-283, § 103(a), substituted "$50" for "$10".

Subsec. (c)(2). Pub. L. 94-283, § 103(b), substituted "$50" for "$10".

Subsec. (e). Pub. L. 94-283, § 103(c), (d), redesignated subsec. (f) as (e) and in par. (1) of subsec. (e) as so redesignated added provision that occasional, isolated, or incidental support of a candidate not be construed as support for such a candidate for purposes of determining whether a political committee supports more than one candidate. Former subsec. (e) providing for the giving of notice by a candidate that a political committee soliciting funds on his behalf is not authorized to do so and that he is not responsible for the activities of that committee was eliminated.

Subsec. (f). Pub. L. 94-283, § 103(c), redesignated former subsec. (f) as (e).

1974—Subsec. (b). Pub. L. 93-443, § 202(a)(1), substituted "of the contribution and the identification" for ", the name and address (occupation and principal place of business, if any)".

Subsec. (c)(2). Pub. L. 93-443, § 202(a)(2), (3), substituted "identification" for "full name and mailing address (occupation and the principal place of business, if any)" preceding "of every person" and inserted end text reading "and, if a person's contributions aggregate more than $100, the account shall include occupation, and the principal place of business (if any)".

Subsec. (c)(4). Pub. L. 93-443, § 202(a)(2), substituted "identification" for "full name and mailing address (occupation and the principal place of business, if any)" preceding "of every person".

Subsec. (d). Pub. L. 93-443, § 208(c)(2), substituted "Commission" for "supervisory officers".

Subsec. (f). Pub. L. 93-443, § 202(b), substituted provisions respecting principal campaign committees for prior provisions respecting notice of funds solicitation by political committees and availability for purchase of annual reports of the political committees from the Superintendent of Documents made available through the Public Printer, now covered in section 435(b) of this title.

EFFECTIVE DATE OF 1974 AMENDMENT

Amendment by Pub. L. 93-443 effective Jan. 1, 1975, see section 410(a) of Pub. L. 93-443, set out as a note under section 431 of this title.

EFFECTIVE DATE

Section effective on Dec. 31, 1971, or 60 days after Feb. 7, 1972, whichever is later, see section 408 of Pub. L. 92-225, set out as a note under section 431 of this title.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 431 of this title; title 18 section 591.

§ 433. Registration of political committees

(a) Statements of organization

Each political committee which anticipates receiving contributions or making expenditures during the calendar year in an aggregate amount exceeding $1,000 shall file with the Commission a statement of organization, within ten days after its organization or, if later, ten days after the date on which it has information which causes the committee to anticipate it will receive contributions or make expenditures in excess of $1,000. Each such committee in existence on February 7, 1972, shall file a statement of organization with the Commission at such time as it prescribes.

(b) Contents of statements

The statement of organization shall include—

(1) the name and address of the committee;

(2) the names, addresses, and relationships of affiliated or connected organizations;

(3) the area, scope, or jurisdiction of the committee;

(4) the name, address, and position of the custodian of books and accounts;

(5) the name, address, and position of other principal officers, including officers and members of the finance committee, if any;

(6) the name, address, office sought, and party affiliation of (A) each candidate whom the committee is supporting, and (B) any other individual, if any, whom the committee is supporting for nomination for election, or election, to any public office whatever; or, if the committee is supporting the entire ticket of any party, the name of the party;

(7) a statement whether the committee is a continuing one;

(8) the disposition of residual funds which will be made in the event of dissolution;

(9) a listing of all banks, safety deposit boxes, or other repositories used;

(10) a statement of the reports required to be filed by the committee with State or local officers, and, if so, the names, addresses, and positions of such persons; and

(11) such other information as shall be required by the Commission.

(c) Information changes; report

Any change in information previously submitted in a statement of organization shall be reported to the Commission within a ten-day period following the change.

(d) Disbanding of political committees or contributions and expenditures below prescribed ceiling: notice

Any committee which, after having filed one or more statements of organization, disbands or determines it will no longer receive contributions or make expenditures during the calendar year in an aggregate amount exceeding $1,000 shall so notify the Commission.

(e) Filing reports and notifications with appropriate principal campaign committees

In the case of a political committee which is not a principal campaign committee, reports and notifications required under this section to be filed with the Commission shall be filed instead with the appropriate principal campaign committee.

(Pub. L. 92-225, title III, § 303, Feb. 7, 1972, 86 Stat. 14; Pub. L. 93-443, title II, §§ 203, 208(c)(3), Oct. 15, 1974, 88 Stat. 1276, 1286.)

AMENDMENTS

1974—Pub. L. 93-443, § 208(c)(3)(A), substituted "Commission" for "supervisory officer" wherever appearing.

Subsec. (a). Pub. L. 93-443, § 208(c)(3)(B), substituted "it prescribes" for "he prescribes".

Subsec. (e). Pub. L. 93-443, § 203, added subsec. (e).

EFFECTIVE DATE OF 1974 AMENDMENT

Amendment by Pub. L. 93-443 effective Jan. 1, 1975, see section 410(a) of Pub. L. 93-443 set out as a note under section 431 of this title.

EFFECTIVE DATE

Section effective on Dec. 31, 1971, or 60 days after Feb. 7, 1972, whichever is later, see section 408 of Pub. L. 92-225, set out as a note under section 431 of this title.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 436, 441a, 441d of this title; title 18 section 608; title 26 section 9008.

§ 434. Reports by political committees and candidates

(a) Receipts and expenditures; completion date, exception

(1) Except as provided by paragraph (2), each treasurer of a political committee supporting a candidate or candidates for election to Federal office, and each candidate for election to such office, shall file with the Commission reports of receipts and expenditures on forms to be prescribed or approved by it. The reports referred to in the preceding sentence shall be filed as follows:

(A) (i) In any calendar year in which an individual is a candidate for Federal office and an election for such Federal office is held in such year, such reports shall be filed not later than the tenth day before the date on which such election is held and shall be complete as of the fifteenth day before the date of such election; except that any such report filed by registered or certified mail must be postmarked not later than the close of the twelfth day before the date of such election.

(ii) Such reports shall be filed not later than the thirtieth day after the day of such election and shall be complete as of the twentieth day after the date of such election.

(B) In any other calendar year in which an individual is a candidate for Federal office, such reports shall be filed after December 31 of such calendar year, but not later than January 31 of the following calendar year and shall be complete as of the close of the calendar year with respect to which the report is filed.

(C) Such reports shall be filed not later than the tenth day following the close of any calendar quarter in which the candidate or political committee concerned received contributions in excess of $1,000, or made expenditures in excess of $1,000, and shall be complete as of the close of such calendar quarter; except that any such report required to be filed after December 31 of any calendar year with respect to which a report is required to be filed under subparagraph (B) shall be filed as provided in such subparagraph. In any year in which a candidate is not on the ballot for election to Federal office, such candidate and his authorized committees shall only be required to file such reports not later than the tenth day following the close of any calendar quarter in which the candidate and his authorized committees received contributions or made expenditures, or both, the total amount of which, taken together, exceed $5,000, and such reports shall be complete as of the close of such calendar quarter; except that any such report required to be filed after December 31 of any calendar year with respect to which a report is required to be filed under subparagraph (B) shall be filed as provided in such subparagraph.

(D) When the last day for filing any quarterly report required by subparagraph (C) occurs within 10 days of an election, the filing of such quarterly report shall be waived and superseded by the report required by subparagraph (A)(i).

Any contribution of $1,000 or more received after the fifteenth day, but more than 48 hours, before any election shall be reported within 48 hours after its receipt.

(2) Each treasurer of a political committee authorized by a candidate to raise contributions or make expenditures on his behalf, other than the candidate's principal campaign committee, shall file the reports required under this section with the candidate's principal campaign committee.

(3) Upon a request made by a presidential candidate or a political committee which operates in more than one State, or upon its own motion, the Commission may waive the reporting dates set forth in paragraph (1) (other than the reporting date set forth in paragraph (1)(B)), and require instead that such candidate or political committee file reports not less frequently than monthly. The Commission may

not require a presidential candidate or a political committee operating in more than one State to file more than 12 reports (not counting any report referred to in paragraph (1)(B)) during any calendar year. If the Commission acts on its own motion under this paragraph with respect to a candidate or a political committee, such candidate or committee may obtain judicial review in accordance with the provisions of chapter 7 of title 5.

(b) Contents of reports

Each report under this section shall disclose—

(1) the amount of cash on hand at the beginning of the reporting period;

(2) the full name and mailing address (occupation and the principal place of business, if any) of each person who has made one or more contributions to or for such committee or candidate (including the purchase of tickets for events such as dinners, luncheons, rallies, and similar fundraising events) within the calendar year in an aggregate amount or value in excess of $100, together with the amount and date of such contributions;

(3) the total sum of individual contributions made to or for such committee or candidate during the reporting period and not reported under paragraph (2);

(4) the name and address of each political committee or candidate from which the reporting committee or the candidate received, or to which that committee or candidate made, any transfer of funds, together with the amounts and dates of all transfers;

(5) each loan to or from any person within the calendar year in an aggregate amount or value in excess of $100, together with the full names and mailing addresses (occupations and the principal places of business, if any) of the lender, endorsers, and guarantors, if any, and the date and amount of such loans;

(6) the total amount of proceeds from (A) the sale of tickets to each dinner, luncheon, rally, and other fundraising event; (B) mass collections made at such events; and (C) sales of items such as political campaign pins, buttons, badges, flags, emblems, hats, banners, literature, and similar materials;

(7) each contribution, rebate, refund, or other receipt in excess of $100 not otherwise listed under paragraphs (2) through (6);

(8) the total sum of all receipts by or for such committee or candidate during the reporting period, together with total expenditures less transfers between political committees which support the same candidate and which do not support more than one candidate;

(9) the identification of each person to whom expenditures have been made by such committee or on behalf of such committee or candidate within the calendar year in an aggregate amount or value in excess of $100, the amount, date, and purpose of each such expenditure and the name and address of, and office sought by, each candidate on whose behalf such expenditure was made;

(10) the identification of each person to whom an expenditure for personal services, salaries, and reimbursed expenses in excess of $100 has been made, and which is not otherwise reported, including the amount, date, and purpose of such expenditure;

(11) the total sum of expenditures made by such committee or candidate during the calendar year, together with the total receipts less transfers between political committees which support the same candidate and which do not support more than one candidate;

(12) the amount and nature of debts and obligations owed by or to the committee, in such form as the supervisory officer may prescribe and a continuous reporting of their debts and obligations after the election at such periods as the Commission may require until such debts and obligations are extinguished, together with a statement as to the circumstances and conditions under which any such debt or obligation is extinguished and the consideration therefor;

(13) in the case of an independent expenditure in excess of $100 by a political committee, other than an authorized committee of a candidate, expressly advocating the election or defeat of a clearly identified candidate, through a separate schedule (A) any information required by paragraph (9) stated in a manner which indicates whether the independent expenditure involved is in support of, or in opposition to, a candidate; and (B) under penalty of perjury, a certification whether such independent expenditure is made in cooperation, consultation, or concert with, or at the request or suggestion of, any candidate or any authorized committee or agent of such candidate; and

(14) such other information as shall be required by the Commission.

When committee treasurers and candidates show that best efforts have been used to obtain and submit the information required by this subsection, they shall be deemed to be in compliance with this subsection.

(c) Cumulative reports for calendar year; amounts for unchanged items carried forward; statement of inactive status

The reports required to be filed by subsection (a) of this section shall be cumulative during the calendar year to which they relate, but where there has been no change in an item reported in a previous report during such year, only the amount need be carried forward. If no contributions or expenditures have been accepted or expended during a calendar year, the treasurer of the political committee or candidate shall file a statement to that effect.

(d) Members of Congress; reporting exemption

This section does not require a Member of the Congress to report, as contributions received or as expenditures made, the value of photographic, matting, or recording services furnished to him by the Senate Recording Studio, the House Recording Studio, or by an individual whose pay is disbursed by the Secretary of the Senate or the Clerk of the House of Representatives and who furnishes such services as his primary duty as an employee of the Senate or House of Representatives, or if such services were paid for by the Republican or Democratic Senatorial Campaign Committee, the Democratic National Congressional Committee, or the National Republican Congres-

sional Committee. This subsection does not apply to such recording services furnished during the calendar year before the year in which the Member's term expires.

(e) Statements by other than political committees; filing; certification; indices of expenditures

(1) Every person (other than a political committee or candidate) who makes contributions or independent expenditures expressly advocating the election or defeat of a clearly identified candidate, other than by contribution to a political committee or candidate, in an aggregate amount in excess of $100 during a calendar year shall file with the Commission, on a form prepared by the Commission, a statement containing the information required of a person who makes a contribution in excess of $100 to a candidate or political committee and the information required of a candidate or political committee receiving such a contribution.

(2) Statements required by this subsection shall be filed on the dates on which reports by political committees are filed. Such statements shall include (A) the information required by subsection (b)(9) of this section, stated in a manner indicating whether the contribution or independent expenditure is in support of, or opposition to, the candidate; and (B) under penalty of perjury, a certification whether such independent expenditure is made in cooperation, consultation, or concert with, or at the request or suggestion of, any candidate or any authorized committee or agent of such candidate. Any independent expenditure, including those described in subsection (b)(13) of this section, of $1,000 or more made after the fifteenth day, but more than 24 hours, before any election shall be reported within 24 hours of such independent expenditure.

(3) The Commission shall be responsible for expeditiously preparing indices which set forth, on a candidate-by-candidate basis, all expenditures separately, including those reported under subsection (b)(13) of this section, made with respect to each candidate, as reported under this subsection, and for periodically issuing such indices on a timely preelection basis.

(Pub. L. 92-225, title III, § 304, Feb. 7, 1972, 86 Stat. 14; Pub. L. 93-443, title II, §§ 204(a)-(c), 208(c)(4), Oct. 15, 1974, 88 Stat. 1276, 1277, 1286; Pub. L. 94-283, title I, § 104, May 11, 1976, 90 Stat. 480.)

PRIOR PROVISIONS

Provisions similar to those comprising subsec. (e) of this section were contained in section 305 of Pub. L. 92-225, title III, Feb. 7, 1972, 86 Stat. 16 (formerly classified to prior section 435 of this title) prior to amendment of section 305 of Pub. L. 92-225 by Pub. L. 93-433.

AMENDMENTS

1976—Subsec. (a)(1)(C). Pub. L. 94-283, § 104(a), added provisions covering reports which must be filed in any year in which a candidate is not on the ballot for election to Federal office.

Subsec. (a)(2). Pub. L. 94-283, § 104(b), substituted "committee authorized by a candidate to raise contributions or make expenditures on his behalf, other than the candidate's principal campaign committee, shall file the reports required under this section with the candidate's principal campaign committee" for "committee which is not a principal campaign committee shall file the reports required under this section with the appropriate principal campaign committee".

Subsec. (b). Pub. L. 94-283, § 104(c), added par. (13), redesignated former par. (13) as (14), and provided that committee treasurers and candidates be deemed to be in compliance with this subsection when they show that best efforts have been used to obtain and submit the information required by this subsection.

Subsec. (e). Pub. L. 94-283, § 104(d), designated existing provisions as par. (1) and in par. (1) as so designated substituted "independent expenditures expressly advocating the election or defeat of a clearly identifiable candidate" for "expenditures" "$100 during a calendar year" for "$100 within a calendar year", and ", on a form prepared by the Commission, a statement containing the information required of a person who makes a contribution in excess of $100 to a candidate or political committee and the information required of a candidate or political committee receiving such a contribution" for "a statement containing the information required by this section. Statements required by this subsection shall be filed on the dates on which reports by political committees are filed but need not be cumulative", and added pars. (2) and (3).

1974—Subsec. (a)(1). Pub. L. 93-443, §§ 204(a)(1), (2), 208(c)(4)(A), substituted provisions of cls. (A) to (D) respecting filing of reports and that "Any contribution of $1,000 or more received after the fifteenth day, but more than 48 hours, before any election shall be reported within 48 hours after its receipt." for prior requirement that "Such reports shall be filed on the tenth day of March, June, and September, in each year, and on the fifteenth and fifth days next preceding the date on which an election is held, and also by the thirty-first day of January. Such reports shall be complete as of such date as the supervisory officer may prescribe, which shall not be less than five days before the date of filing, except that any contribution of $5,000 or more received after the last report is filed prior to the election shall be reported within forty-eight hours after its receipt."; designated existing provisions as par. (1), inserting introductory text "Except as provided by paragraph (2),"; and substituted "Commission" and "it" for "appropriate supervisory officer" and "him" in first sentence, respectively.

Subsec. (a)(2), (3). Pub. L. 93-443, § 204(a)(2), added pars. (2) and (3).

Subsec. (b)(5). Pub. L. 93-443, § 204(b)(1), required information respecting guarantors.

Subsec. (b)(8). Pub. L. 93-443, § 204(b)(2), required the report to disclose the total receipts less transfers between political committees which support the same candidate and which do not support more than one candidate.

Subsec. (b)(9), (10). Pub. L. 93-443, § 204(b)(3), substituted "identification" for "full name and mailing address (occupation and the principal place of business, if any)" in pars. (9) and (10).

Subsec. (b)(11). Pub. L. 93-443, § 204(b)(4), required the report to disclose the total expenditures less transfers between political committees which support the same candidate and which do not support more than one candidate.

Subsec. (b)(12). Pub. L. 93-443, §§ 204(b)(5), 208(c)(4)(B), required the report to include a statement as to the circumstances and conditions under which any debt or obligation is extinguished and the consideration therefor and substituted "Commission" for "supervisory officer".

Subsec. (b)(13). Pub. L. 93-443, § 208(c)(4)(B), substituted "Commission" for "supervisory officer".

Subsecs. (d), (e). Pub. L. 93-443, § 204(c), added subsec. (d) and incorporated provisions of former section 435 of this title in provisions designated as subsec. (e), substituting "Commission" for "supervisory officer" therein.

EFFECTIVE DATE OF 1974 AMENDMENT

Amendment by Pub. L. 93-443 effective Jan. 1, 1975, see section 410(a) of Pub. L. 93-443, set out as a note under section 431 of this title.

EFFECTIVE DATE

Section effective on Dec. 31, 1971, or 60 days after Feb. 7, 1972, whichever is later, see section 408 of Pub. L. 92-225, set out as a note under section 431 of this title.

REPORT REQUIRED TO BE FILED BY JANUARY 31, 1975

Section 204(e) of Pub. L. 93-443 provided that notwithstanding the amendment to this section as to the time to file reports, nothing in Pub. L. 93-443 [see Short Title note under section 431 of this title] is to be construed as waiving the report required to be filed by Jan. 31, 1975 under the provisions of this section as in effect on Oct. 15, 1974, the date of enactment of Pub. L. 93-443.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 431, 436 of this title.

§ 435. Campaign advertising requirements

(a) No person who sells space in a newspaper or magazine to a candidate, or to the agent of a candidate, for use in connection with such candidate's campaign, may charge any amount for such space which exceeds the amount charged for comparable use of such space for other purposes.

(b) Each political committee shall include on the face or front page of all literature and advertisements soliciting contributions the following notice:

"A copy of our report is filed with the Federal Election Commission and is available for purchase from the Federal Election Commission, Washington, D.C."

(Pub. L. 92-225, title III, § 305, Feb. 7, 1972, 86 Stat. 16; Pub. L. 93-443, title II, § 205, Oct. 15, 1974, 88 Stat. 1278.)

PRIOR PROVISIONS

Provisions similar to those comprising subsec. (b) of this section were contained in section 302(f) of Pub. L. 92-225, title III, Feb. 7, 1972, 86 Stat. 12 (formerly classified to prior section 432(f) (1) of this title) prior to amendment of section 302 of Pub. L. 92-225 by Pub. L. 93-443.

AMENDMENTS

1974—Pub. L. 93-433 substituted subsec. (a) and (b) provisions respecting charges for space in newspapers or magazines and funds solicitation notice for prior provision for reports by other than political parties, now covered in section 434(e) of this title.

EFFECTIVE DATE OF 1974 AMENDMENT

Amendment by Pub. L. 93-443 effective Jan. 1, 1975, see section 410(a) of Pub. L. 93-443, set out as a note under section 431 of this title.

EFFECTIVE DATE

Section effective on Dec. 31, 1971, or 60 days after Feb. 7, 1972, whichever is later, see section 408 of Pub. L. 92-225, set out as a note under section 431 of this title.

§ 436. Formal requirements respecting reports and statements

(a) Copy; preservation

A copy of a report or statement shall be preserved by the person filing it for a period of time to be designated by the supervisory officer in a published regulation.

(b) Waiver of reporting requirements

The Commission may, by a rule of general applicability which is published in the Federal Register not less than 30 days before its effective date, relieve—

(1) any category of candidates of the obligation to comply personally with the reporting requirements of section 434 of this title, if it determines that such action is consistent with the purposes of this Act; and

(2) any category of political committees of the obligation to comply with the reporting requirements of such section if such committees—

(A) primarily support persons seeking State or local office; and

(B) do not operate in more than one State or do not operate on a statewide basis.

(c) Debts, pledges, etc.; separate schedules; aggregate amounts based upon actual payment

The Commission shall, by published regulations of general applicability, prescribe the manner in which contributions and expenditures in the nature of debts and other contracts, agreements, and promises to make contributions or expenditures shall be reported. Such regulations shall provide that they be reported in separate schedules. In determining aggregate amounts of contributions and expenditures, amounts reported as provided in such regulations shall not be considered until actual payment is made.

(d) Filing date of registered or certified mail

If a report or statement required by section 433, 434(a)(1)(A)(ii), 434(a)(1)(B), 434(a)(1)(C), 434(c), or 434(e) of this title to be filed by a treasurer of a political committee or by a candidate or by any other person, is delivered by registered or certified mail, to the Commission or principal campaign committee with which it is required to be filed, the United States postmark stamped on the cover of the envelope or other container in which such report or statement is so mailed shall be deemed to be the date of filing.

(Pub. L. 92-225, title III, § 306, Feb. 7, 1972, 86 Stat. 16; Pub. L. 93-443, title II, §§ 206, 207, 208(c)(5), Oct. 15, 1974, 88 Stat. 1278, 1279, 1286; Pub. L. 94-283, title I, § 115(a), May 11, 1976, 90 Stat. 495.)

REFERENCES IN TEXT

This Act, referred to in subsec. (b)(1), means the Federal Election Campaign Act of 1971, Pub. L. 92-225. For classification of this Act in the Code, see Short Title notes under section 431 of this title.

AMENDMENTS

1976—Subsec. (d). Pub. L. 94-283 inserted "434(c)," following "434(a)(1)(C),".

1974—Pub. L. 94-443, § 208(c)(5), substituted "Commission" for "supervisory officer" wherever appearing.

Subsec. (a). Pub. L. 93-443, § 207, struck out subsec. (a) provisions respecting verification by oath or affirmation taken before an officer authorized to administer oaths of reports or statements required by this subchapter to be filed by a treasurer of a political committee, a candidate, or by any other person filing such report or statement, now covered by section 9008(g) of Title 26, and redesignated former subsec. (b) as (a).

Subsec. (b). Pub. L. 93-443, §§ 206, 207, substituted introductory text "The Commission may, by a rule of

general applicability which is published in the Federal Register not less than 30 days before its effective date" for "The supervisory officer may, by published regulation of general applicability", added par. (1), incorporated existing cl. (1) and (2) in provisions redesignated par. (2)(A) and (B) and deleted former cl. (1) provision respecting relief if the political committee did not substantially support candidates; and redesignated former subsec. (c) as (b), respectively. Former subsec. (b) redesignated (a).

Subsec. (c). Pub. L. 93-443, § 207, redesignated former subsec. (d) as (c). Former subsec. (c) redesignated (b).

Subsec. (d). Pub. L. 93-443, § 207, added subsec. (d). Former subsec. (d) redesignated (c).

EFFECTIVE DATE OF 1974 AMENDMENT

Amendment by Pub. L. 93-443 effective Jan. 1, 1975, see section 410(a) of Pub. L. 93-443, set out as a note under section 431 of this title.

EFFECTIVE DATE

Section effective on Dec. 31, 1971, or 60 days after Feb. 7, 1972, whichever is later, see section 408 of Pub. L. 92-225, set out as a note under section 431 of this title.

§ 437. Reports on convention financing

Each committee or other organization which—

(1) represents a State, or a political subdivision thereof, or any group of persons, in dealing with officials of a national political party with respect to matters involving a convention held in such State or political subdivision to nominate a candidate for the office of President or Vice President, or

(2) represents a national political party in making arrangements for the convention of such party held to nominate a candidate for the office of President or Vice President,

shall, within sixty days following the end of the convention (but not later than twenty days prior to the date on which presidential and vice-presidential electors are chosen), file with the Federal Election Commission a full and complete financial statement, in such form and detail as it may prescribe, of the sources from which it derived its funds, and the purpose for which such funds were expended.

(Pub. L. 92-225, title III, § 307, Feb. 7, 1972, 86 Stat. 16; Pub. L. 93-443, title II, § 208(c)(6), Oct. 15, 1974, 88 Stat. 1286.)

AMENDMENTS

1974—Pub. L. 93-443 substituted "Federal Election Commission" and "it" for "Comptroller General of the United States" and "he".

EFFECTIVE DATE OF 1974 AMENDMENT

Amendment by Pub. L. 93-443 effective Jan. 1, 1975, see section 410(a) of Pub. L. 93-443, set out as a note under section 431 of this title.

EFFECTIVE DATE

Section effective on Dec. 31, 1971, or 60 days after Feb. 7, 1972, whichever is later, see section 408 of Pub. L. 92- 225, set out as a note under section 431 of this title.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 437d of this title; title 18 section 591.

§ 437a. Repealed. Pub. L. 94-283, title I, § 105, May 11, 1976, 90 Stat. 481

Section, Pub. L. 92-225, title III, § 308, as added Pub. L. 93-443, title II, § 208(a), Oct. 15, 1974, 88 Stat. 1279, required the filing of reports with the Commission by certain named persons other than individuals who act to influence others to vote for or against political candidates. See section 441d et seq. of this title.

SAVINGS PROVISION

Repeal of this section by Pub. L. 94-283 not to release or extinguish any penalty, forfeiture, or liability incurred under this section, with this section or penalty to be treated as remaining in force for the purpose of sustaining any proper action or prosecution for the enforcement of any penalty, forfeiture, or liability, see section 114 of Pub. L. 94-283, set out as a note under former section 441 of this title.

§ 437b. Campaign depositories

(a) Designation by candidates and treasurers of political committees; maintenance of checking and other accounts; deposits and expenditures

(1) Each candidate shall designate one or more national or State banks as his campaign depositories. The principal campaign committee of such candidate, and any other political committee authorized by him to receive contributions or to make expenditures on his behalf, shall maintain a single checking account and such other accounts as the committee determines to maintain at its discretion at a depository designated by the candidate and shall deposit any contributions received by such committee into such account. A candidate shall deposit any payment received by him under chapter 95 or chapter 96 of title 26 in the account maintained by his principal campaign committee. No expenditure may be made by any such committee on behalf of a candidate or to influence his election except by check drawn on such account, other than petty cash expenditures as provided in subsection (b) of this section.

(2) The treasurer of each political committee (other than a political committee authorized by a candidate to receive contributions or to make expenditures on his behalf) shall designate one or more national or State banks as campaign depositories of such committee, and shall maintain a checking account for the committee at each such depository. All contributions received by such committee shall be deposited in such accounts. No expenditure may be made by such committee except by check drawn on such accounts, other than petty cash expenditures as provided in subsection (b) of this section.

(b) Petty cash fund; petty cash disbursements: record, and statements and reports to Commission

A political committee may maintain a petty cash fund out of which it may make expenditures not in excess of $100 to any person in connection with a single purchase or transaction. A record of petty cash disbursements shall be kept in accordance with requirements established by the Commission, and such statements and reports thereof shall be furnished to the Commission as it may require.

(c) Designation by Presidential candidates; depository in each State; depositories of Vice Presidential candidates

A candidate for nomination for election, or for election, to the office of President of the United States may establish one such depository in each State, which shall be considered as his campaign depository for such State by his principal campaign committee and any other political committee authorized by him to receive contributions or to make expenditures on his behalf in such State, under rules prescribed by the Commission. The campaign depository of the candidate of a political party for election to the office of Vice President of the United States shall be the campaign depository designated by the candidate of such party for election to the office of President of the United States.

(Pub. L. 92-225, title III, § 308, formerly § 309, as added Pub. L. 93-443, title II, § 208(a), Oct. 15, 1974, 88 Stat. 1280, renumbered and amended Pub. L. 94-283, title I, §§ 105, 106, 115(i), May 11, 1976, 90 Stat. 481, 496.)

AMENDMENTS

1976—Subsec. (a)(1). Pub. L. 94-283, §§ 106, 115(i), substituted "a single checking account and such other accounts as the committee determines to maintain at its discretion" for "a checking account" and "chapter 96 of title 26" for "chapter 97 of title 26".

EFFECTIVE DATE

Section effective Jan. 1, 1975, see section 410(a) of Pub. L. 93-443, set out as a note under section 431 of this title.

§ 437c. Federal Election Commission

(a) Establishment; membership; term of office; vacancies; qualifications; compensation; chairman and vice chairman

(1) There is established a commission to be known as the Federal Election Commission. The Commission is composed of the Secretary of the Senate and the Clerk of the House of Representatives, ex officio and without the right to vote, and 6 members appointed by the President of the United States, by and with the advice and consent of the Senate. No more than 3 members of the Commission appointed under this paragraph may be affiliated with the same political party.

(2)(A) Members of the Commission shall serve for terms of 6 years, except that of the members first appointed—

(i) two of the members, not affiliated with the same political party, shall be appointed for terms ending on April 30, 1977;

(ii) two of the members, not affiliated with the same political party, shall be appointed for terms ending on April 30, 1979; and

(iii) two of the members, not affiliated with the same political party, shall be appointed for terms ending on April 30, 1981.

(B) A member of the Commission may serve on the Commission after the expiration of his term until his successor has taken office as a member of the Commission.

(C) An individual appointed to fill a vacancy occurring other than by the expiration of a term of office shall be appointed only for the unexpired term of the member he succeeds.

(D) Any vacancy occurring in the membership of the Commission shall be filled in the same manner as in the case of the original appointment.

(3) Members shall be chosen on the basis of their maturity, experience, integrity, impartiality, and good judgment and shall be chosen from among individuals who, at the time of their appointment, are not elected or appointed officers or employees in the executive, legislative, or judicial branch of the Government of the United States. Members of the Commission shall not engage in any other business, vocation, or employment. Any individual who is engaging in any other business, vocation, or employment at the time such individual begins to serve as a member of the Commission shall terminate or liquidate such activity no later than 1 year after beginning to serve as such a member.

(4) Members of the Commission (other than the Secretary of the Senate and the Clerk of the House of Representatives) shall receive compensation equivalent to the compensation paid at level IV of the Executive Schedule (5 U.S.C. 5315).

(5) The Commission shall elect a chairman and a vice chairman from among its members (other than the Secretary of the Senate and the Clerk of the House of Representatives) for a term of one year. No member may serve as chairman more often than once during any term of office to which he is appointed. The chairman and the vice chairman shall not be affiliated with the same political party. The vice chairman shall act as chairman in the absence or disability of the chairman, or in the event of a vacancy in such office.

(b) Administration, enforcement, and formulation of policy; exclusive primary jurisdiction of civil enforcement; Congressional authority with respect to elections for Federal office

(1) The Commission shall administer, seek to obtain compliance with, and formulate policy with respect to, this Act and chapter 95 and chapter 96 of title 26. The Commission shall have exclusive primary jurisdiction with respect to the civil enforcement of such provisions.

(2) Nothing in this Act shall be construed to limit, restrict, or diminish any investigatory, informational, oversight, supervisory, or disciplinary authority or function of the Congress or any committee of the Congress with respect to elections for Federal office.

(c) Voting requirement; nondelegation of function

All decisions of the Commission with respect to the exercise of its duties and powers under the provisions of this subchapter shall be made by a majority vote of the members of the Commission, except that the affirmative vote of 4 members of the Commission shall be required in order for the Commission to establish guidelines for compliance with the provisions of this Act or with chapter 95 or chapter 96 of title 26, or for the Commission to take any action in accordance with paragraph (6), (7), (8), or (10) of section 437d(a) of this title. A member of the Commission may not delegate to any person his vote or any decisionmaking authority or duty vested in the Commission by the provisions of this subchapter.

(d) Meetings

The Commission shall meet at least once each month and also at the call of any member.

(e) Rules for conduct of activities; seal, judicial notice; principal office

The Commission shall prepare written rules for the conduct of its activities, shall have an official seal which shall be judicially noticed, and shall have its principal office in or near the District of Columbia (but it may meet or exercise any of its powers anywhere in the United States).

(f) Staff director and general counsel: appointment and compensation; appointment and compensation of personnel and procurement of intermittent services by staff director; use of assistance, personnel, and facilities of Federal agencies and departments

(1) The Commission shall have a staff director and a general counsel who shall be appointed by the Commission. The staff director shall be paid at a rate not to exceed the rate of basic pay in effect for level IV of the Executive Schedule (5 U.S.C. 5315). The general counsel shall be paid at a rate not to exceed the rate of basic pay in effect for level V of the Executive Schedule (5 U.S.C. 5316). With the approval of the Commission, the staff director may appoint and fix the pay of such additional personnel as he considers desirable without regard to the provisions of title 5 governing appointments in the competitive service.

(2) With the approval of the Commission, the staff director may procure temporary and intermittent services to the same extent as is authorized by section 3109(b) of title 5, but at rates for individuals not to exceed the daily equivalent of the annual rate of basic pay in effect for grade GS-15 of the General Schedule (5 U.S.C. 5332).

(3) In carrying out its responsibilities under this Act, the Commission shall, to the fullest extent practicable, avail itself of the assistance, including personnel and facilities, of other agencies and departments of the United States Government. The heads of such agencies and departments may make available to the Commission such personnel, facilities, and other assistance, with or without reimbursement, as the Commission may request.

(Pub. L. 92-225, title III, § 309, formerly § 310, as added Pub. L. 93-443, title II, § 208(a), Oct. 15, 1974, 88 Stat. 1280, renumbered and amended Pub. L. 94-283, title I, §§ 101(a)-(d), 105, May 11, 1976, 90 Stat. 475, 476, 481.)

REFERENCES IN TEXT

This Act, referred to in subsecs. (b), (c), and (f)(3), means the Federal Election Campaign Act of 1971, Pub. L. 92-225. For classification of this Act in the Code, see Short Title notes under section 431 of this title.

AMENDMENTS

1976—Subsec. (a)(1). Pub. L. 94-283, § 101(a), changed the provisions covering the appointment and confirmation of the six members of the Commission other than the Secretary of the Senate and the Clerk of the House of Representatives by substituting a requirement that they be appointed by the President of the United States, by and with the advice and consent of the Senate, for a requirement that appointment be made by the President, the President pro tempore of the Senate, and the Speaker of the House, with confirmation by a majority of both Houses of the Congress, and made technical changes in the provisions covering the political affiliation of the six appointees so as to accommodate the changed appointment and confirmation procedures.

Subsec. (a)(2). Pub. L. 94-283, § 101(b), provided that members of the Commission serve for terms of 6 years, except that members first appointed serve for staggered terms as designated by the President, and added provision that a member may serve on the Commission after the expiration of his term until his successor has taken office as a member of the Commission.

Subsec. (a)(3). Pub. L. 94-283, § 101(c)(1), added provisions that Commission members may not engage in other businesses, vocations, or employment, but allowed appointees one year after beginning service as members of the Commission to terminate or liquidate other businesses, vocations, or employment which they may be engaged in when they begin their service as Commission members.

Subsec. (b). Pub. L. 94-283, § 101(c)(2), designated existing provisions as par. (1), substituted "chapter 95 and chapter 96 of title 26" for "sections 608, 610, 611, 613, 614, 615, 616, and 617 of Title 18" and "shall have exclusive primary jurisdiction" for "has primary jurisdiction" in par. (1) as so designated, and added par. (2).

Subsec. (c). Pub. L. 94-283, § 101(c)(3), provided that the affirmative vote of 4 members of the Commission shall be required in order for the Commission to establish guidelines for compliance with the provisions of this Act or with chapter 95 or chapter 96 of Title 26, or for the Commission to take any action in accordance with paragraph (6), (7), (8), or (10) of section 437d(a) of this title.

Subsec. (f)(1). Pub. L. 94-283, § 101(d), provided that the appointment and the fixing of pay of additional personnel by the staff director may be done without regard to the provisions of Title 5 governing appointments in the competitive service.

EFFECTIVE DATE

Section effective Jan. 1, 1975, see section 410(a) of Pub. L. 93-443, set out as a note under section 431 of this title.

OPERATION OF FEDERAL ELECTION COMMISSION AFTER 1976 AMENDMENT OF FEDERAL ELECTION CAMPAIGN ACT; APPOINTMENT OF COMMISSION MEMBERS; TRANSFER OF PERSONNEL, LIABILITIES, CONTRACTS, PROPERTY, AND RECORDS, OF COMMISSION; REFERENCES TO COMMISSION PRIOR TO AMENDMENT DEEMED REFERENCES TO COMMISSION AS CONSTITUTED AFTER 1976 AMENDMENT OF FEDERAL ELECTION CAMPAIGN ACT

Section 101(e)-(g) of Pub. L. 94-283 provided that:

"(e)(1) The President shall appoint members of the Federal Election Commission under section 309(a) of the Act (2 U.S.C. 437c(a)) as redesignated by section 105 and as amended by this section, as soon as practicable after the date of the enactment of this Act [May 11, 1976].

"(2) The first appointments made by the President under section 309(a) of the Act (2 U.S.C. 437c(a)) as redesignated by section 105 and as amended by this section, shall not be considered to be appointments to fill the unexpired terms of members serving on the Federal Election Commission on the date of the enactment of this Act [May 11, 1976].

"(3) Members serving on the Federal Election Commission on the date of the enactment of this Act [May 11, 1976] may continue to serve as such members until new members are appointed and qualified under section 309(a) of the Act (2 U.S.C. 437c(a)) as redesignated by section 105 and as amended by this section, except that until appointed and qualified under this Act, members serving on such Commission on such date of enactment [May 11, 1976] may, beginning on March 23, 1976, exercise only such powers and functions as may be consistent with the determinations of

the Supreme Court of the United States in Buckley et al. against Valeo, Secretary of the United States Senate, et al. (numbered 75-436, 75-437) January 30, 1976.

"(f) The provisions of section 309(a)(3) of the Act (2 U.S.C. 437c(a)(3)) as redesignated by section 105, which prohibit any individual from being appointed as a member of the Federal Election Commission who is, at the time of his appointment, an elected or appointed officer or employee of the executive, legislative, or judicial branch of the Federal Government, shall not apply in the case of any individual serving as a member of such Commission on the date of the enactment of this Act [May 11, 1976].

"(g)(1) All personnel, liabilities, contracts, property, and records determined by the Director of the Office of Management and Budget to be employed, held, or used primarily in connection with the functions of the Federal Election Commission under title III of the Act [this subchapter] as such title existed on January 1, 1976, or under any other provision of law, are transferred to such Commission as constituted under the amendments made by this Act to the Federal Election Campaign Act of 1971 [see Short Title of 1976 Amendment note under section 431 of this title].

"(2)(A) Except as provided in subparagraph (B), personnel engaged in functions transferred under paragraph (1) shall be transferred in accordance with applicable laws and regulations relating to the transfer of functions.

"(B) The transfer of personnel pursuant to paragraph (1) shall be without reduction in classification or compensation for 1 year after such transfer.

"(3) All laws relating to the functions transferred under this Act [see Short Title notes under section 431 of this title] shall, insofar as such laws are applicable and not amended by this Act, remain in full force and effect. All orders, determinations, rules, and opinions made, issued, or granted by the Federal Election Commission before its reconstitution under the amendments made by this Act [see Short Title of 1976 Amendment note under section 431 of this title] which are in effect at the time of the transfer provided by paragraph (1), and which are consistent with the amendments made by this Act, shall continue in effect to the same extent as if such transfer had not occurred. Any rule or regulation proposed by such Commission before the date of the enactment of this Act [May 11, 1976] shall be prescribed by such Commission only if, after such date of enactment, the rule or regulation is submitted to the Senate or the House of Representatives, as the case may be, in accordance with the provisions of section 315(c) of the Act [section 438(c) of this title] (as redesignated by section 105), and it is not disapproved by the appropriate House of the Congress.

"(4) The provisions of this Act shall not affect any proceeding pending before the Federal Election Commission on the date of the enactment of this Act [May 11, 1976].

"(5) No suit, action, or other proceeding commenced by or against the Federal Election Commission or any officer or employee thereof acting in his official capacity shall abate by reason of the transfer made under paragraph (1). The court before which such suit, action, or other proceeding is pending may, on motion or supplemental petition filed at any time within 12 months after the date of the enactment of this Act [May 11, 1976], allow such suit, action, or other proceeding to be maintained against the Federal Election Commission if the party making the motion or filing the petition shows a necessity for the survival of the suit, action, or other proceeding to obtain a settlement of the question involved.

"(6) Any reference in any other Federal law to the Federal Election Commission, or to any member or employee thereof, as such Commission existed under the Federal Election Campaign Act of 1971 [see Short Title note under section 431 of this title] before its amendment by this Act [see Short Title of 1976 Amendment note under section 431 of this title] shall be held and considered to refer to the Federal Election Commission, or the members or employees thereof, as such Commission exists under the Federal Election Campaign Act of 1971 as amended by this Act."

TRANSITIONAL PROVISION PENDING APPOINTMENT AND QUALIFICATION OF MEMBERS AND GENERAL COUNSEL OF FEDERAL ELECTION COMMISSION AND TRANSFER OF RECORDS, DOCUMENTS, MEMORANDUMS, AND OTHER PAPERS

Section 208(b) of Pub. L. 93-443 provided that: "Until the appointment and qualification of all the members of the Federal Election Commission and its general counsel and until the transfer provided for in this subsection, the Comptroller General, the Secretary of the Senate, and the Clerk of the House of Representatives shall continue to carry out their responsibilities under title I [enacting former sections 801 to 805 and amending sections 312 and 315 of Title 47] and title III of the Federal Election Campaign Act of 1971 as such titles existed on the day before the date of enactment of this Act [Oct. 15, 1974]. Upon the appointment of all the members of the Commission and its general counsel, the Comptroller General, the Secretary of the Senate, and the Clerk of the House of Representatives shall meet with the Commission and arrange for the transfer, within 30 days after the date on which all such members and the general counsel are appointed, of copies of all appropriate records, documents, memorandums, and other papers associated with carrying out their responsibilities under title I [enacting former sections 801 to 805 and amending sections 312 and 315 of Title 47] and title III [subchapter] of the Federal Election Campaign Act of 1971 and chapter 95 of the Internal Revenue Code of 1954 [Title 26]."

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in title 18 section 591; title 26 sections 9002, 9032.

§ 437d. Powers of Commission

(a) Specific enumeration

The Commission has the power—

(1) to require, by special or general orders, any person to submit in writing such reports and answers to questions as the Commission may prescribe; and such submission shall be made within such a reasonable period of time and under oath or otherwise as the Commission may determine;

(2) to administer oaths or affirmations;

(3) to require by subpena, signed by the chairman or the vice chairman, the attendance and testimony of witnesses and the production of all documentary evidence relating to the execution of its duties;

(4) in any proceeding or investigation, to order testimony to be taken by deposition before any person who is designated by the Commission and has the power to administer oaths and, in such instances, to compel testimony and the production of evidence in the same manner as authorized under paragraph (3) of this subsection;

(5) to pay witnesses the same fees and mileage as are paid in like circumstances in the courts of the United States;

(6) to initiate (through civil actions for injunctive, declaratory, or other appropriate relief), defend (in the case of any civil action brought under section 437g(a)(9) of this title), or appeal any civil action in the name of the Commission for the purpose of enforcing the provisions of this Act and chapter 95 and

chapter 96 of title 26, through its general counsel;

(7) to render advisory opinions under section 437f of this title;

(8) to develop such prescribed forms and to make, amend, and repeal such rules, pursuant to the provisions of chapter 5 of title 5, as are necessary to carry out the provisions of this Act and chapter 95 and chapter 96 of title 26;

(9) to formulate general policy with respect to the administration of this Act and chapter 95 and chapter 96 of title 26; and

(10) to conduct investigations and hearings expeditiously, to encourage voluntary compliance, and to report apparent violations to the appropriate law enforcement authorities.

(b) Judicial orders for compliance with subpenas and orders of Commission; contempt of court

Any United States district court within the jurisdiction of which any inquiry is carried on, may, upon petition by the Commission, in case of refusal to obey a subpena or order of the Commission issued under subsection (a) of this section, issue an order requiring compliance therewith. Any failure to obey the order of the court may be punished by the court as a contempt thereof.

(c) Civil liability for disclosure of information

No person shall be subject to civil liability to any person (other than the Commission or the United States) for disclosing information at the request of the Commission.

(d) Transmittal to Congress: Budget estimates or requests and legislative recommendations; prior transmittal to Congress: legislative recommendations

(1) Whenever the Commission submits any budget estimate or request to the President of the United States or the Office of Management and Budget, it shall concurrently transmit a copy of such estimate or request to the Congress.

(2) Whenever the Commission submits any legislative recommendations, or testimony, or comments on legislation, requested by the Congress or by any Member of the Congress, to the President of the United States or the Office of Management and Budget, it shall concurrently transmit a copy thereof to the Congress or to the Member requesting the same. No officer or agency of the United States shall have any authority to require the Commission to submit its legislative recommendations, testimony, or comments on legislation, to any office or agency of the United States for approval, comments, or review, prior to the submission of such recommendations, testimony, or comments to the Congress.

(e) Exclusive civil remedy for enforcement

Except as provided in section 437g(a)(9) of this title, the power of the Commission to initiate civil actions under subsection (a)(6) of this section shall be the exclusive civil remedy for the enforcement of the provisions of this Act.

(Pub. L. 92-225, title III, § 310, formerly § 311, as added Pub. L. 93-443, title II, § 208(a), Oct. 15, 1974, 88 Stat. 1282, renumbered and amended Pub. L. 94-283, title I, §§ 105, 107, 115(b), May 11, 1976, 90 Stat. 481, 495.)

REFERENCES IN TEXT

This Act, referred to in subsecs. (a)(6), (8), (9), and (e), means the Federal Election Campaign Act of 1971, Pub. L. 92-225. For classification of this Act in the Code, see Short Title notes under section 431 of this title.

AMENDMENTS

1976—Subsec. (a)(6). Pub. L. 94-283, § 107(b)(1), substituted "civil actions" for "civil proceedings" and inserted "(in the case of any civil action brought under section 437g(a) (9) of this title)" following "defend" and "and chapter 95 and chapter 96 of title 26" following "this Act".

Subsec. (a)(7). Pub. L. 94-283, § 115(b), substituted "section 312" for "section 313" in the original to accommodate the renumbering of section 313 of Pub. L. 92-225 as section 312 of Pub. L. 92-225 by section 105 of Pub. L. 94-283. Since both the original and substituted references translate as "section 437f of this title" no change in text was required.

Subsec. (a)(8). Pub. L. 94-283, § 107(a)(1), inserted "to develop such prescribed forms and to " preceding "to make, amend, and repeal" and inserted "and chapter 95 and chapter 96 of title 26" following "provisions of this Act".

Subsec. (a)(9). Pub. L. 94-283, § 107(a)(2), substituted "and chapter 95 and chapter 96 of title 26; and" for "and sections 608, 610, 611, 613, 614, 615, 616, and 617 of Title 18;".

Subsec. (a)(10). Pub. L. 94-283, § 107(a)(3), redesignated par. (11) as par. (10). Former par. (10), which covered the development of prescribed forms under subsection (a)(1) of this section, was stricken.

Subsec. (a)(11). Pub. L. 94-283, § 107(a)(3), redesignated par. (11) as par. (10).

Subsec. (e). Pub. L. 94-283, § 107(b)(2), added subsec. (e).

EFFECTIVE DATE

Section effective Jan. 1, 1975, see section 410(a) of Pub. L. 93-443, set out as a note under section 431 of this title.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 437c of this title.

§ 437e. Reports to President and Congress

The Commission shall transmit reports to the President of the United States and to each House of the Congress no later than March 31 of each year. Each such report shall contain a detailed statement with respect to the activities of the Commission in carrying out its duties under this subchapter, together with recommendations for such legislative or other action as the Commission considers appropriate.

(Pub. L. 92-225, title III, § 311, formerly § 312, as added Pub. L. 93-443, title II, § 208(a), Oct. 15, 1974, 88 Stat. 1283, renumbered Pub. L. 94-283, title I, § 105, May 11, 1976, 90 Stat. 481.)

EFFECTIVE DATE

Section effective Jan. 1, 1975, see section 410(a) of Pub. L. 93-443, set out as a note under section 431 of this title.

§ 437f. Advisory opinions

(a) Written requests; written opinions within reasonable time; specific factual situations

The Commission shall render an advisory opinion, in writing, within a reasonable time in response to a written request by any individual holding Federal office, any candidate for Federal office, any political committee, or the nation-

al committee of any political party concerning the application of a general rule of law stated in the Act or chapter 95 or chapter 96 of title 26, or a general rule of law prescribed as a rule or regulation by the Commission, to a specific factual situation. Any such general rule of law not stated in the Act or in chapter 95 or chapter 96 of title 26 may be initially proposed by the Commission only as a rule or regulation pursuant to the procedures established by section 438(c) of this title. No opinion of an advisory nature may be issued by the Commission or any of its employees except in accordance with the provisions of this section.

(b) Reliance upon advisory opinions; good faith acts; scope of protection from sanctions

(1) Notwithstanding any other provision of law, any person who relies upon any provision or finding of an advisory opinion in accordance with the provisions of paragraph (2) and who acts in good faith in accordance with the provisions and findings of such advisory opinion shall not, as a result of any such act, be subject to any sanction provided by this Act or by chapter 95 or chapter 96 of title 26.

(2) Any advisory opinion rendered by the Commission under subsection (a) of this section may be relied upon by (A) any person involved in the specific transaction or activity with respect to which such advisory opinion is rendered; and (B) any person involved in any specific transaction or activity which is indistinguishable in all its material aspects from the transaction or activity with respect to which such advisory opinion is rendered.

(c) Requests made public; transmittal to Commission of comments of interested parties with respect to such requests

Any request made under subsection (a) of this section shall be made public by the Commission. The Commission shall, before rendering an advisory opinion with respect to such request, provide any interested party with an opportunity to transmit written comments to the Commission with respect to such request.

(Pub. L. 92-225, title III, § 312, formerly § 313, as added Pub. L. 93-443, title II, § 208(a), Oct. 15, 1974, 88 Stat. 1283, renumbered and amended Pub. L. 94-283, title I, §§ 105, 108(a), May 11, 1976, 90 Stat. 481, 482.)

REFERENCES IN TEXT

This Act, referred to in subsecs. (a) and (b), means the Federal Election Campaign Act of 1971, Pub. L. 92-225. For classification of this Act in the Code, see Short Title notes under section 431 of this title.

AMENDMENTS

1976—Subsec. (a). Pub. L. 94-283, § 108(a), added national committees of political parties to the enumeration of persons and political bodies authorized to request advisory opinions, substituted the application of general rules of law as stated in the Act or in chapter 95 or 96 of Title 26 or as prescribed by rules or regulations of the Commission to specific factual situations for the resolution of the question of whether or not any specific transaction or activity by an individual, candidate, or political committee would constitute a violation of the Act as the subject matter of advisory opinions, and added requirement that rules or regulations forming the basis for rules of law be rules or regulations proposed pursuant to section 438(c) of this title and that advisory opinions be issued only in accordance with the provisions of this section.

Subsec. (b). Pub. L. 94-283, § 108(a), designated existing provisions as par. (1), substituted provisions that any person who relies upon any finding or provision of an advisory opinion in accordance with the provisions of paragraph (2) and who acts in good faith in accordance with the provisions and findings of the advisory opinion shall not, as a result of that act, be subject to any sanctions provided by the Act or by chapter 95 or 96 of Title 26 for provisions that any person with respect to whom an advisory opinion was rendered under subsection (a) who acted in good faith in accordance with the provisions and findings of an advisory opinion would be presumed to be in compliance with the Act, and added par. (2).

EFFECTIVE DATE

Section effective Jan. 1, 1975, see section 410(a) of Pub. L. 93-443, set out as a note under section 431 of this title.

CONFORMANCE OF ADVISORY OPINIONS ISSUED PRIOR TO MAY 11, 1976, TO REQUIREMENTS IMPOSED UNDER 1976 AMENDMENTS

Section 108(b) of Pub. L. 94-283 provided that: "The Commission shall, no later than 90 days after the date of the enactment of this Act [May 11, 1976], conform the advisory opinions issued before such date of enactment to the requirements established by section 312 (a) of the Act [subsec. (a) of this section], as amended by subsection (a) of this section. The provisions of section 312(b) of the Act [subsec. (b) of this section], as amended by subsection (a) of this section, shall apply with respect to all advisory opinions issued before the date of the enactment of this Act as conformed to meet the requirements of section 312(a) of the Act [subsec. (a) of this section], as amended by subsection (a) of this section."

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 437d of this title.

§ 437g. Enforcement

(a) Practice and procedure

(1) Any person who believes a violation of this Act or of chapter 95 or chapter 96 of title 26 has occurred may file a complaint with the Commission. Such complaint shall be in writing, shall be signed and sworn to by the person filing such complaint, and shall be notarized. Any person filing such a complaint shall be subject to the provisions of section 1001 of title 18. The Commission may not conduct any investigation under this section, or take any other action under this section, solely on the basis of a complaint of a person whose identity is not disclosed to the Commission.

(2) The Commission, upon receiving a complaint under paragraph (1), and if it has reason to believe that any person has committed a violation of this Act or of chapter 95 or chapter 96 of title 26, or, if the Commission, on the basis of information ascertained in the normal course of carrying out its supervisory responsibilities, has reason to believe that such a violation has occurred, shall notify the person involved of such alleged violation and shall make an investigation of such alleged violation in accordance with the provisions of this section.

(3)(A) Any investigation under paragraph (2) shall be conducted expeditiously and shall include an investigation, conducted in accordance with the provisions of this section, of reports and statements filed by any complainant under

this subchapter, if such complainant is a candidate.

(B) Any notification or investigation made under paragraph (2) shall not be made public by the Commission or by any person without the written consent of the person receiving such notification or the person with respect to whom such investigation is made.

(4) The Commission shall afford any person who receives notice of an alleged violation under paragraph (2) a reasonable opportunity to demonstrate that no action should be taken against such person by the Commission under this Act.

(5)(A) If the Commission determines that there is reasonable cause to believe that any person has committed or is about to commit a violation of this Act or of chapter 95 or chapter 96 of title 26, the Commission shall make every endeavor for a period of not less than 30 days to correct or prevent such violation by informal methods of conference, conciliation, and persuasion, and to enter into a conciliation agreement with the person involved, except that, if the Commission has reasonable cause to believe that—

(i) any person has failed to file a report required to be filed under section 434(a)(1)(C) of this title for the calendar quarter occurring immediately before the date of a general election;

(ii) any person has failed to file a report required to be filed no later than 10 days before an election; or

(iii) on the basis of a complaint filed less than 45 days but more than 10 days before an election, any person has committed a knowing and willful violation of this Act or of chapter 95 or chapter 96 of title 26;

the Commission shall make every effort, for a period of not less than one-half the number of days between the date upon which the Commission determines there is reasonable cause to believe such a violation has occurred and the date of the election involved, to correct or prevent such violation by informal methods of conference, conciliation, and persuasion, and to enter into a conciliation agreement with the person involved. A conciliation agreement, unless violated, shall constitute a complete bar to any further action by the Commission, including the bringing of a civil proceeding under subparagraph (B).

(B) If the Commission is unable to correct or prevent any such violation by such informal methods, the Commission may, if the Commission determines there is probable cause to believe that a violation has occurred or is about to occur, institute a civil action for relief, including a permanent or temporary injunction, restraining order, or any other appropriate order, including a civil penalty which does not exceed the greater of $5,000 or an amount equal to the amount of any contribution or expenditure involved in such violation, in the district court of the United States for the district in which the person against whom such action is brought is found, resides, or transacts business.

(C) In any civil action instituted by the Commission under subparagraph (B), the court may grant a permanent or temporary injunction, restraining order, or other order, including a civil penalty which does not exceed the greater of $5,000 or an amount equal to the amount of any contribution or expenditure involved in such violation, upon a proper showing that the person involved has engaged or is about to engage in a violation of this Act or of chapter 95 or chapter 96 of title 26.

(D) If the Commission determines that there is probable cause to believe that a knowing and willful violation subject to and as defined in section 441j of this title, or a knowing and willful violation of a provision of chapter 95 or chapter 96 of title 26 has occurred or is about to occur, it may refer such apparent violation to the Attorney General of the United States without regard to any limitations set forth in subparagraph (A).

(6)(A) If the Commission believes that there is clear and convincing proof that a knowing and willful violation of this Act or of chapter 95 or chapter 96 of title 26, has been committed, a conciliation agreement entered into by the Commission under paragraph (5)(A) may include a requirement that the person involved in such conciliation agreement shall pay a civil penalty which shall not exceed the greater of (i) $10,000; or (ii) an amount equal to 200 percent of the amount of any contribution or expenditure involved in such violation.

(B) If the Commission believes that a violation of this Act or of chapter 95 or chapter 96 of title 26 has been committed, a conciliation agreement entered into by the Commission under paragraph (5)(A) may include a requirement that the person involved in such conciliation agreement shall pay a civil penalty which does not exceed the greater of (i) $5,000; or (ii) an amount equal to the amount of the contribution or expenditure involved in such violation.

(C) The Commission shall make available to the public (i) the results of any conciliation attempt, including any conciliation agreement entered into by the Commission; and (ii) any determination by the Commission that no violation of this Act or of chapter 95 or chapter 96 of title 26 has occurred.

(7) In any civil action for relief instituted by the Commission under paragraph (5), if the court determines that the Commission has established through clear and convincing proof that the person involved in such civil action has committed a knowing and willful violation of this Act or of chapter 95 or chapter 96 of title 26, the court may impose a civil penalty of not more than the greater of (A) $10,000; or (B) an amount equal to 200 percent of the contribution or expenditure involved in such violation. In any case in which such person has entered into a conciliation agreement with the Commission under paragraph (5)(A), the Commission may institute a civil action for relief under paragraph (5) if it believes that such person has violated any provision of such conciliation agreement. In order for the Commission to obtain relief in any such civil action, it shall be sufficient for the Commission to establish that such person has violated, in whole or in part, any requirement of such conciliation agreement.

(8) In any action brought under paragraph (5) or paragraph (7), subpenas for witnesses

who are required to attend a United States district court may run into any other district.

(9)(A) Any party aggrieved by an order of the Commission dismissing a complaint filed by such party under paragraph (1), or by a failure on the part of the Commission to act on such complaint in accordance with the provisions of this section within 90 days after the filing of such complaint, may file a petition with the United States District Court for the District of Columbia.

(B) The filing of any petition under subparagraph (A) shall be made—

(i) in the case of the dismissal of a complaint by the Commission, no later than 60 days after such dismissal; or

(ii) in the case of a failure on the part of the Commission to act on such complaint, no later than 60 days after the 90-day period specified in subparagraph (A).

(C) In any proceeding under this paragraph the court may declare that the dismissal of the complaint or the action, or the failure to act, is contrary to law and may direct the Commission to proceed in conformity with such declaration within 30 days, failing which the complainant may bring in his own name a civil action to remedy the violation involved in the original complaint.

(10) The judgment of the district court may be appealed to the court of appeals and the judgment of the court of appeals affirming or setting aside, in whole or in part, any such order of the district court shall be final, subject to review by the Supreme Court of the United States upon certiorari or certification as provided in section 1254 of title 28.

(11) Any action brought under this subsection shall be advanced on the docket of the court in which filed, and put ahead of all other actions (other than other actions brought under this subsection or under section 437h of this title).

(12) If the Commission determines after an investigation that any person has violated an order of the court entered in a proceeding brought under paragraph (5) it may petition the court for an order to adjudicate such person in civil contempt, except that if it believes the violation to be knowing and willful it may petition the court for an order to adjudicate such person in criminal contempt.

(b) Reports

In any case in which the Commission refers an apparent violation to the Attorney General, the Attorney General shall respond by report to the Commission with respect to any action taken by the Attorney General regarding such apparent violation. Each report shall be transmitted no later than 60 days after the date the Commission refers any apparent violation, and at the close of every 30-day period thereafter until there is final disposition of such apparent violation. The Commission may from time to time prepare and publish reports on the status of such referrals.

(c) Penalty for making public notification or investigation without written consent

Any member of the Commission, any employee of the Commission, or any other person who violates the provisions of subsection (a)(3)(B) of this section shall be fined not more than $2,000. Any such member, employee, or other person who knowingly and willfully violates the provisions of subsection (a)(3)(B) of this section shall be fined not more than $5,000.

(Pub. L. 92-225, title III, § 313, formerly § 314, as added Pub. L. 93-443, title II, § 208(a), Oct. 15, 1974, 88 Stat. 1284, renumbered and amended Pub. L. 94-283, title I, §§ 105, 109, May 11, 1976, 90 Stat. 481, 483.)

REFERENCES IN TEXT

This Act, referred to in subsec. (a)(1) to (7), means the Federal Election Campaign Act of 1971, Pub. L. 92-225. For classification of this Act in the Code, see Short Title notes under section 431 of this title.

PRIOR PROVISIONS

Provisions similar to those comprising subsec. (a) of this section were contained in section 308(d) of Pub. L. 92-225, title III, Feb. 7, 1972, 86 Stat. 18 (formerly classified to prior section 438(d) of this title) prior to amendment of section 308 of Pub. L. 92-225 by Pub. L. 93-443.

AMENDMENTS

1976—Subsec. (a). Pub. L. 94-283, § 109, generally reworked the provisions of subsec. (a) to reflect the enactment of sections 441a to 441j of this title and the repeal of sections 608 and 610 to 617 of Title 18 and to update the operations of the Commission.

Subsec. (b). Pub. L. 94-283, § 109, re-enacted subsec. (b) without change.

Subsec. (c). Pub. L. 94-283, § 109, added subsec. (c).

EFFECTIVE DATE

Section effective Jan. 1, 1975, see section 410(a) of Pub. L. 93-443, set out as a note under section 431 of this title.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 437d, 441j of this title.

§ 437h. Judicial review

(a) Actions, including declaratory judgments, for construction of constitutional questions; eligible plaintiffs; certification of such questions to courts of appeals sitting en banc

The Commission, the national committee of any political party, or any individual eligible to vote in any election for the office of President of the United States may institute such actions in the appropriate district court of the United States, including actions for declaratory judgment, as may be appropriate to construe the constitutionality of any provision of this Act. The district court immediately shall certify all questions of constitutionality of this Act to the United States court of appeals for the circuit involved, which shall hear the matter sitting en banc.

(b) Appeal to Supreme Court; time for appeal

Notwithstanding any other provision of law, any decision on a matter certified under subsection (a) of this section shall be reviewable by appeal directly to the Supreme Court of the United States. Such appeal shall be brought no later than 20 days after the decision of the court of appeals.

(c) Advancement on appellate docket and expedited disposition of certified questions

It shall be the duty of the court of appeals and of the Supreme Court of the United States

to advance on the docket and to expedite to the greatest possible extent the disposition of any matter certified under subsection (a) of this section.

(Pub. L. 92-225, title III, § 314, formerly § 315, as added Pub. L. 93-443, title II, § 208(a), Oct. 15, 1974, 88 Stat. 1285, renumbered and amended Pub. L. 94-283, title I, §§ 105, 115(e), May 11, 1976, 90 Stat. 481, 496.)

REFERENCES IN TEXT

This Act, referred to in subsec. (a), means the Federal Election Campaign Act of 1971, Pub. L. 92-225. For classification of this Act in the Code, see Short Title notes under section 431 of this title.

AMENDMENTS

1976—Subsec. (a). Pub. L. 94-283, § 115(e), struck out references to sections 608, 610, 611, 613, 614, 615, 616, and 617 of Title 18.

EFFECTIVE DATE

Section effective Jan. 1, 1975, see section 410(a) of Pub. L. 93-443, set out as a note under section 431 of this title.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 437g of this title.

§ 438. Administrative provisions

(a) Federal Election Commission; duties

It shall be the duty of the Commission—

(1) Forms

to develop and furnish to the person required by the provisions of this Act prescribed forms for the making of the reports and statements required to be filed with it under this subchapter;

(2) Manual for uniform bookkeeping and reporting methods

to prepare, publish, and furnish to the person required to file such reports and statements a manual setting forth recommended uniform methods of bookkeeping and reporting;

(3) Filing, coding, and cross-indexing system

to develop a filing, coding, and cross-indexing system consonant with the purposes of this subchapter;

(4) Public inspection; copies; sale or use restrictions

to make the reports and statements filed with it available for public inspection and copying, commencing as soon as practicable but not later than the end of the second day following the day during which it was received, and to permit copying of any such report or statement by hand or by duplicating machine, as requested by any person, at the expense of such person: *Provided,* That any information copied from such reports and statements shall not be sold or utilized by any person for the purpose of soliciting contributions or for any commercial purpose;

(5) Preservation of reports and statements

to preserve such reports and statements for a period of ten years from date of receipt, except that reports and statements relating solely to candidates for the House of Representatives shall be preserved for only five years from the date of receipt;

(6) Indices of reports and statements; publication in Federal Register

to compile and maintain a cumulative index of reports and statements field with it, which shall be published in the Federal Register at regular intervals and which shall be available for purchase directly or by mail for a reasonable price, and to compile and maintain a separate cumulative index of reports and statements filed with it by political committees supporting more than one candidate, which shall include a listing of the date of the registration of any such political committee and the date upon which any such political committee qualifies to make expenditures under section 441a(a)(2) of this title, and which shall be revised on the same basis and at the same time as the other cumulative indices required under this paragraph;

(7) Special reports; publication

to prepare and publish from time to time special reports listing those candidates for whom reports were filed as required by this subchapter and those candidates for whom such reports were not filed as so required;

(8) Audits; investigations; priority audits and investigations

to make from time to time audits and field investigations with respect to reports and statements filed under the provisions of this subchapter, and with respect to alleged failures to file any report or statement required under the provisions of this subchapter, and to give priority to auditing and field investigating of the verification for, and the receipt and use of, any payments received by a candidate under chapter 95 or chapter 96 of title 26;

(9) Enforcement authorities; reports of violations

to report apparent violations of law to the appropriate law enforcement authorities; and

(10) Rules and regulations

to prescribe suitable rules and regulations to carry out the provisions of this subchapter, in accordance with the provisions of subsection (c) of this section.

(b) Commission; duties: national clearinghouse for information; studies, scope, publication, copies to general public at cost

It shall be the duty of the Commission to serve as a national clearinghouse for information in respect to the administration of elections. In carrying out its duties under this subsection, the Commission shall enter into contracts for the purpose of conducting independent studies of the administration of elections. Such studies shall include, but shall not be limited to, studies of—

(1) the method of selection of, and the type of duties assigned to, officials and personnel working on boards of elections;

(2) practices relating to the registration of voters; and

(3) voting and counting methods.

Studies made under this subsection shall be published by the Commission and copies there-

of shall be made available to the general public upon the payment of the cost thereof.

(c) Proposed rules or regulations; transmittal of statement to Congress; priority consideration by House of Representatives; Presidential elections and Congressional elections; "legislative days" defined; "rule or regulation" defined

(1) The Commission, before prescribing any rule or regulation under this section, shall transmit a statement with respect to such rule or regulation to the Senate or the House of Representatives, as the case may be, in accordance with the provisions of this subsection. Such statement shall set forth the proposed rule or regulation and shall contain a detailed explanation and justification of such rule or regulation.

(2) If the appropriate body of the Congress which receives a statement from the Commission under this subsection does not, through appropriate action, disapprove the proposed rule or regulation set forth in such statement no later than 30 legislative days after receipt of such statement, then the Commission may prescribe such rule or regulation. In the case of any rule or regulation proposed to deal with reports or statements required to be filed under this subchapter by a candidate for the office of President of the United States, and by political committees supporting such a candidate both the Senate and the House of Representatives shall have the power to disapprove such proposed rule or regulation. Whenever a committee of the House of Representatives reports any resolution relating to any such rule or regulation, it is at any time thereafter in order (even though a previous motion to the same effect has been disagreed to) to move to proceed to the consideration of the resolution. The motion is highly privileged and is not debatable. An amendment to the motion is not in order, and it is not in order to move to reconsider the vote by which the motion is agreed to or disagreed to. The Commission may not prescribe any rule or regulation which is disapproved under this paragraph.

(3) If the Commission proposes to prescribe any rule or regulation dealing with reports or statements required to be filed under this subchapter by a candidate for the office of Senator, and by political committees supporting such candidate, it shall transmit such statement to the Senate. If the Commission proposes to prescribe any rule or regulation dealing with reports or statements required to be filed under this subchapter by a candidate for the office of Representative, Delegate, or Resident Commissioner, and by political committees supporting such candidate, it shall transmit such statement to the House of Representatives. If the Commission proposes to prescribe any rule or regulation dealing with reports or statements required to be filed under this subchapter by a candidate for the office of President of the United States, and by political committees supporting such candidate it shall transmit such statement to the House of Representatives and the Senate.

(4) For purposes of this subsection, the term "legislative days" does not include, with respect to statements transmitted to the Senate, any calendar day on which the Senate is not in session, and with respect to statements transmitted to the House of Representatives, any calendar day on which the House of Representatives is not in session, and with respect to statements transmitted to both such bodies, any calendar day on which both Houses of the Congress are not in session.

(5) For purposes of this subsection, the term "rule or regulation" means a provision or series of interrelated provisions stating a single separable rule of law.

(d) Rules and regulations; issuance; custody of reports and statements; Congressional cooperation

(1) The Commission shall prescribe suitable rules and regulations to carry out the provisions of this subchapter, including such rules and regulations as may be necessary to require that—

(A) reports and statements required to be filed under this subchapter by a candidate for the office of Representative in, or Delegate or Resident Commissioner to, the Congress of the United States, and by political committees supporting such candidate, shall be received by the Clerk of the House of Representatives as custodian for the commission;

(B) reports and statements required to be filed under this subchapter by a candidate for the office of Senator, and by political committees supporting such candidate, shall be received by the Secretary of the Senate as custodian for the Commission; and

(C) the Clerk of the House of Representatives and the Secretary of the Senate, as custodians for the Commission, each shall make the reports and statements received by him available for public inspection and copying in accordance with paragraph (4) of subsection (a) of this section, and preserve such reports and statements in accordance with paragraph (5) of subsection (a) of this section.

(2) It shall be the duty of the Clerk of the House of Representatives and the Secretary of the Senate to cooperate with the Commission in carrying out its duties under this Act and to furnish such services and facilities as may be required in accordance with this section.

(Pub. L. 92-225, title III, § 315, formerly § 308, Feb. 7, 1972, 86 Stat. 16, renumbered § 316, and amended Pub. L. 93-443, title II, §§ 208(a), (c)(8)-(10), 209(a)(1), (b), Oct. 15, 1974, 88 Stat. 1279, 1286, 1287, renumbered § 315, and amended Pub. L. 94-283, title I, §§ 105, 110, May 11, 1976, 90 Stat. 481, 486.)

REFERENCES IN TEXT

This Act, referred to in subsecs. (a)(1) and (d)(2) means the Federal Election Campaign Act of 1971, Pub. L. 92-225. For classification of this Act in this Code, see Short Title note set out under section 431 of this title.

AMENDMENTS

1976—Subsec. (a)(6). Pub. L. 94-283, § 110(a)(1), added provisions covering and index of reports and statements filed by committees supporting more than one candidate.

Subsec. (a)(8). Pub. L. 94-283, § 110(a)(2), added provisions giving priority to auditing and field investigating of the verification for, and the receipt and use of, any payments received by a candidate under chapter 95 or 96 of Title 26.

Subsec. (c)(2). Pub. L. 94-283, § 110(b)(1), added provision for priority consideration by the House of Representatives of a motion to consider resolutions relating to a rule or regulation reported by a committee of the House.

Subsec. (c)(5). Pub. L. 94-283, § 110(b)(2), added subsec. (c)(5).

1974—Subsec. (a). Pub. L. 93-443, § 208(c)(8), substituted "Commission" for "supervisory officer" in text preceding par. (1).

Subsec. (a)(1), (4). Pub. L. 93-443, § 208(c)(9)(A), (B), substituted "him" for "it" in pars. (1) and (4).

Subsec. (a)(6). Pub. L. 93-443, § 209(a)(1), substituted provisions respecting index of reports and statements and publication thereof in Federal Register for provisions respecting compilation and maintenance of current list of candidate statements.

Subsec. (a)(7). Pub. L. 93-443, § 209(a)(1), substituted provision for preparation and publication of special reports listing candidates for whom reports were filed as required by this subchapter and those candidates for whom such reports were not filed as so required for provisions respecting publication of annual reports and compilations of data.

Subsec. (a)(8). Pub. L. 93-443, § 209(a)(1), redesignated former par. (11) as (8) and struck out prior par. (8) provision for preparation and publication of special reports comparing the various totals and categories of contributions and expenditures made with respect to preceding elections.

Subsec. (a)(9). Pub. L. 93-443, § 209(a)(1), redesignated former par. (12) as (9) and struck out prior par. (9) provision for preparation and publication of other reports.

Subsec. (a)(10). Pub. L. 93-443, § 209(a)(1), (b)(1), redesignated former par. (13) as (10), inserted end text reading ", in accordance with the provisions of subsection (c) of this section", and struck out prior par. (10) provision for dissemination of information.

Subsec. (a)(11) to (13). Pub. L. 93-443, § 209(a)(1), redesignated former pars. (11) to (13) as (8) to (10), respectively.

Subsec. (b). Pub. L. 93-443, §§ 208(c)(10)(A), (B), 209(b)(2)(A), substituted "Commission" for "Comptroller General" wherever appearing and "its" for "his" in second sentence and struck out provision that "Nothing in this subsection shall be construed to authorize the Comptroller General to require the inclusion of any comment or recommendation of the Comptroller General in any such study.", redesignated former subsec. (c) as (b) and struck out prior subsec. (b) provisions respecting Federal and State filing of reports, including procedures for Federal copies in satisfaction of State requirements to eliminate multiple filings.

Subsec. (c). Pub. L. 93-443, § 209(b)(2)(A), (B), added subsec. (c) and redesignated former subsec. (c) as (b).

Subsec. (d). Pub. L. 93-443, § 209(b)(2)(A), (B), added subsec. (d) and deleted former subsec. (d) provisions respecting violations, the paragraphs relating to: (1) complaints, investigations, notice and hearing, Federal civil actions for injunction, restraining orders, or other appropriate orders, venue, and bond; (2) subpenas; (3) review by court of appeals and time for petition of review; (4) finality of appellate judgment and review by Supreme Court; and (5) docket advancement and priorities, provisions now covered by section 437g(a) of this title.

EFFECTIVE DATE

Section effective on Dec. 31, 1971, or 60 days after Feb. 7, 1972, whichever is later, see section 408 of Pub. L. 92-225, set out as a note under section 431 of this title.

ANNUAL REPORTS FOR CALENDAR YEARS BEGINNING AFTER DEC. 31, 1972

Section 209(a)(2) of Pub. L. 93-443 provided that: "Notwithstanding section 308(a)(7) of the Federal Election Campaign Act of 1971 [subsec. (a)(7) of this section] (relating to an annual report by the supervisory officer), as in effect on the day before the effective date of the amendments made by paragraph (1) of this subsection, no such annual report shall be required with respect to any calendar year beginning after December 31, 1972."

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 437f of this title.

§ 439. Statements filed with State officers

(a) A copy of each statement required to be filed with the Commission by this subchapter shall be filed with the Secretary of State (or, if there is no office of Secretary of State, the equivalent State officer) of the appropriate State. For purposes of this subsection, the term "appropriate State" means—

(1) for reports relating to expenditures and contributions in connection with the campaign for nomination for election, or election, of a candidate to the office of President or Vice President of the United States, each State in which an expenditure is made by him or on his behalf, and

(2) for reports relating to expenditures and contributions in connection with the campaign for nomination for election, or election, of a candidate to the office of Senator or Representative in, or Delegate or Resident Commissioner to, the Congress of the United States, the State in which he seeks election.

(b) It shall be the duty of the Secretary of State, or the equivalent State officer, under subsection (a) of this section—

(1) to receive and maintain in an orderly manner all reports and statements required by this subchapter to be filed with him;

(2) to preserve such reports and statements for a period of ten years from date of receipt, except that reports and statements relating solely to candidates for the House of Representatives shall be preserved for only five years from the date of receipt;

(3) to make the reports and statements filed with him available for public inspection and copying during regular office hours, commencing as soon as practicable but not later than the end of the day during which it was received, and to permit copying of any such report or statement by hand or by duplicating machine, requested by any person, at the expense of such person; and

(4) to compile and maintain a current list of all statements or parts of statements pertaining to each candidate.

(Pub. L. 92-225, title III, § 316, formerly § 309, Feb. 7, 1972, 86 Stat. 18, renumbered § 317, and amended Pub. L. 93-443, title II, § 208(a), (c)(11), Oct. 15, 1974, 88 Stat. 1279, 1287, renumbered § 316, Pub. L. 94-283, title I, § 105, May 11, 1976, 90 Stat. 481.)

AMENDMENTS

1974—Subsec. (a). Pub. L. 93-443, § 208(c)(11), substituted "the Commission" for "a supervisory officer".

EFFECTIVE DATE OF 1974 AMENDMENT

Amendment by Pub. L. 93-443 effective Jan. 1, 1975, see section 410(a) of Pub. L. 93-443, set out as a note under section 431 of this title.

EFFECTIVE DATE

Section effective on Dec. 31, 1971, or 60 days after Feb. 7, 1972, whichever is later, see section 408 of Pub. L. 92-225, set out as a note under section 431 of this title.

§ 439a. Use of contributed amounts for certain purposes; rules of Commission

Amounts received by a candidate as contributions that are in excess of any amount necessary to defray his expenditures, and any other amounts contributed to an individual for the purpose of supporting his activities as a holder of Federal office, may be used by such candidate or individual, as the case may be, to defray any ordinary and necessary expenses incurred by him in connection with his duties as a holder of Federal office, may be contributed by him to any organization described in section 170(c) of title 26, or may be used for any other lawful purpose. To the extent any such contribution, amount contributed, or expenditure thereof is not otherwise required to be disclosed under the provisions of this subchapter, such contribution, amount contributed, or expenditure shall be fully disclosed in accordance with rules promulgated by the Commission. The Commission is authorized to prescribe such rules as may be necessary to carry out the provisions of this section.

(Pub. L. 92-225, title III, § 317, formerly § 318, as added Pub. L. 93-443, title II, § 210, Oct. 15, 1974, 88 Stat. 1289, and renumbered Pub. L. 94-283, title I, § 105, May 11, 1976, 90 Stat. 481.)

EFFECTIVE DATE

Section effective Jan. 1, 1975, see section 410(a) of Pub. L. 93-443, set out as a note under section 431 of this title.

§ 439b. Prohibition of franked solicitations

No Senator, Representative, Resident Commissioner, or Delegate shall make any solicitations of funds by a mailing under the frank under section 3210 of title 39.

(Pub. L. 92-225, title III, § 318, formerly § 319, as added Pub. L. 93-443, title II, § 210, Oct. 15, 1974, 88 Stat. 1289, and renumbered Pub. L. 94-283, title I, § 105, May 11, 1976, 90 Stat. 481.)

EFFECTIVE DATE

Section effective Jan. 1, 1975, see section 410(a) of Pub. L. 93-443, set out as a note under section 431 of this title.

§ 439c. Authorization of appropriations

There are authorized to be appropriated to the Commission for the purpose of carrying out its functions under this Act, and under chapters 95 and 96 of title 26, not to exceed $5,000,000 for the fiscal year ending June 30, 1975. There are authorized to be appropriated to the Commission $6,000,000 for the fiscal year ending June 30, 1976, $1,500,000 for the period beginning July 1, 1976, and ending September 30, 1976, and $6,000,000 for the fiscal year ending September 30, 1977.

(Pub. L. 92-225, title III, § 319, formerly § 320, as added Pub. L. 93-443, title II, § 210, Oct. 15, 1974, 88 Stat. 1289, renumbered and amended Pub. L. 94-283, title I, §§ 105, 113, May 11, 1976, 90 Stat. 481, 495.)

REFERENCES IN TEXT

This Act, referred to in text, means the Federal Election Campaign Act of 1971, Pub. L. 92-225. For classification of this Act in the Code, see Short Title note set out under section 431 of this title.

AMENDMENTS

1976—Pub. L. 94-283, § 113, added provisions authorizing appropriations through the fiscal year ending Sept. 30, 1977.

EFFECTIVE DATE

Section effective Jan. 1, 1975, see section 410(a) of Pub. L. 93-443, set out as a note under section 431 of this title.

§ 440. Repealed. Pub. L. 93-443, title I, § 101(f)(4), Oct. 15, 1974, 88 Stat. 1268

Section, Pub. L. 92-225, title III, § 310, Feb. 7, 1972, 86 Stat. 19, related to prohibition of contributions in the name of another and is now covered by section 441f of this title.

EFFECTIVE DATE OF REPEAL

Section repealed effective Jan. 1, 1975, see section 410(a) of Pub. L. 93-443, set out as a note under section 431 of this title.

§ 441. Repealed. Pub. L. 94-283, title I, § 112(1), May 11, 1976, 90 Stat. 486

Section, Pub. L. 92-225, title III, § 320, formerly § 311, Feb. 7, 1972, 86 Stat. 19, renumbered § 321, Pub. L. 93-443, title II, § 208(a), Oct. 15, 1974, 88 Stat. 1279, renumbered § 320, Pub. L. 94-283, title I, § 105, May 11, 1976, 90 Stat. 481, provided penalties of not more than $1,000 fine or not more than 1 year imprisonment, or both for violations of this subchapter. See section 441j of this title.

SAVINGS PROVISION

Section 114 of Pub. L. 94-283 provided that: "Except as otherwise provided by this Act [see Short Title of 1976 Amendment note under section 431 of this title], the repeal by this Act of any section or penalty shall not have the effect of releasing or extinguishing any penalty, forfeiture, or liability incurred under such section or penalty, and such section or penalty shall be treated as remaining in force for the purpose of sustaining any proper action or prosecution for the enforcement of any penalty, forfeiture, or liability."

§ 441a. Limitations on contributions and expenditures

(a) Dollar limits on contributions

(1) No person shall make contributions—

(A) to any candidate and his authorized political committees with respect to any election for Federal office which, in the aggregate, exceed $1,000;

(B) to the political committees established and maintained by a national political party, which are not the authorized political committees of any candidate, in any calendar year which, in the aggregate, exceed $20,000; or

(C) to any other political committee in any calendar year which, in the aggregate, exceed $5,000.

(2) No multicandidate political committee shall make contributions—

(A) to any candidate and his authorized political committees with respect to any election

for Federal office which, in the aggregate, exceed $5,000;

(B) to the political committees established and maintained by a national political party, which are not the authorized political committees of any candidate, in any calendar year, which, in the aggregate, exceed $15,000; or

(C) to any other political committee in any calendar year which, in the aggregate, exceed $5,000.

(3) No individual shall make contributions aggregating more than $25,000 in any calendar year. For purposes of this paragraph, any contribution made to a candidate in a year other than the calendar year in which the election is held with respect to which such contribution is made, is considered to be made during the calendar year in which such election is held.

(4) The limitations on contributions contained in paragraphs (1) and (2) do not apply to transfers between and among political committees which are national, State, district, or local committees (including any subordinate committee thereof) of the same political party. For purposes of paragraph (2), the term "multicandidate political committee" means a political committee which has been registered under section 433 of this title for a period of not less than 6 months, which has received contributions from more than 50 persons, and, except for any State political party organization, has made contributions to 5 or more candidates for Federal office.

(5) For purposes of the limitations provided by paragraph (1) and paragraph (2), all contributions made by political committees established or financed or maintained or controlled by any corporation, labor organization, or any other person, including any parent, subsidiary, branch, division, department, or local unit of such corporation, labor organization, or any other person, or by any group of such persons, shall be considered to have been made by a single political committee, except that (A) nothing in this sentence shall limit transfers between political committees of funds raised through joint fund raising efforts; (B) for purposes of the limitations provided by paragraph (1) and paragraph (2) all contributions made by a single political committee established or financed or maintained or controlled by a national committee of a political party and by a single political committee established or financed or maintained or controlled by the State committee of a political party shall not be considered to have been made by a single political committee; and (C) nothing in this section shall limit the transfer of funds between the principal campaign committee of a candidate seeking nomination or election to a Federal office and the principal campaign committee of that candidate for nomination or election to another Federal office if (i) such transfer is not made when the candidate is actively seeking nomination or election to both such offices; (ii) the limitations contained in this Act on contributions by persons are not exceeded by such transfer; and (iii) the candidate has not elected to receive any funds under chapter 95 or chapter 96 of title 26. In any case in which a corporation and any of its subsidiaries, branches, divisions, departments, or local units, or a labor organization and any of its subsidiaries, branches, divisions, departments, or local units establish or finance or maintain or control more than one separate segregated fund, all such separate segregated funds shall be treated as a single separate segregated fund for purposes of the limitations provided by paragraph (1) and paragraph (2).

(6) The limitations on contributions to a candidate imposed by paragraphs (1) and (2) of this subsection shall apply separately with respect to each election, except that all elections held in any calendar year for the office of President of the United States (except a general election for such office) shall be considered to be one election.

(7) For purposes of this subsection—

(A) contributions to a named candidate made to any political committee authorized by such candidate to accept contributions on his behalf shall be considered to be contributions made to such candidate;

(B)(i) expenditures made by any person in cooperation, consultation, or concert, with, or at the request or suggestion of, a candidate, his authorized political committees, or their agents, shall be considered to be a contribution to such candidate;

(ii) the financing by any person of the dissemination, distribution, or republication, in whole or in part, of any broadcast or any written, graphic, or other form of campaign materials prepared by the candidate, his campaign committees, or their authorized agents shall be considered to be an expenditure for purposes of this paragraph; and

(C) contributions made to or for the benefit of any candidate nominated by a political party for election to the office of Vice President of the United States shall be considered to be contributions made to or for the benefit of the candidate of such party for election to the office of President of the United States.

(8) For purposes of the limitations imposed by this section, all contributions made by a person, either directly or indirectly, on behalf of a particular candidate, including contributions which are in any way earmarked or otherwise directed through an intermediary or conduit to such candidate, shall be treated as contributions from such person to such candidate. The intermediary or conduit shall report the original source and the intended recipient of such contribution to the Commission and to the intended recipient.

(b) Dollar limits on expenditures by candidates for office of President of the United States

(1) No candidate for the office of President of the United States who is eligible under section 9003 of title 26 (relating to condition for eligibility for payments) or under section 9033 of title 26 (relating to eligibility for payments) to receive payments from the Secretary of the Treasury may make expenditures in excess of—

(A) $10,000,000, in the case of a campaign for nomination for election to such office, except the aggregate of expenditures under this subparagraph in any one State shall not exceed the greater of 16 cents multiplied by the voting age population of the State (as cer-

tified under subsection (e) of this section), or $200,000; or

(B) $20,000,000 in the case of a campaign for election to such office.

(2) For purposes of this subsection—

(A) expenditures made by or on behalf of any candidate nominated by a political party for election to the office of Vice President of the United States shall be considered to be expenditures made by or on behalf of the candidate of such party for election to the office of President of the United States; and

(B) an expenditure is made on behalf of a candidate, including a vice presidential candidate, if it is made by—

(i) an authorized committee or any other agent of the candidate for purposes of making any expenditure; or

(ii) any person authorized or requested by the candidate, an authorized committee of the candidate, or an agent of the candidate, to make the expenditure.

(c) Increases on limits based on increases in price index

(1) At the beginning of each calendar year (commencing in 1976), as there become available necessary data from the Bureau of Labor Statistics of the Department of Labor, the Secretary of Labor shall certify to the Commission and publish in the Federal Register the percent difference between the price index for the 12 months preceding the beginning of such calendar year and the price index for the base period. Each limitation established by subsection (b) of this section and subsection (d) of this section shall be increased by such percent difference. Each amount so increased shall be the amount in effect for such calendar year.

(2) For purposes of paragraph (1)—

(A) the term "price index" means the average over a calendar year of the Consumer Price Index (all items—United States city average) published monthly by the Bureau of Labor Statistics; and

(B) the term "base period" means the calendar year 1974.

(d) Expenditures by national committee, State committee, or subordinate committee of State committee in connection with general election campaign of candidates for Federal office

(1) Notwithstanding any other provision of law with respect to limitations on expenditures or limitations on contributions, the national committee of a political party and a State committee of a political party, including any subordinate committee of a State committee, may make expenditures in connection with the general election campaign of candidates for Federal office, subject to the limitations contained in paragraphs (2) and (3) of this subsection.

(2) The national committee of a political party may not make any expenditure in connection with the general election campaign of any candidate for President of the United States who is affiliated with such party which exceeds an amount equal to 2 cents multiplied by the voting age population of the United States (as certified under subsection (e) of this section). Any expenditure under this paragraph shall be in addition to any expenditure by a national committee of a political party serving as the principal campaign committee of a candidate for the office of President of the United States.

(3) The national committee of a political party, or a State committee of a political party, including any subordinate committee of a State committee, may not make any expenditure in connection with the general election campaign of a candidate for Federal office in a State who is affiliated with such party which exceeds—

(A) in the case of a candidate for election to the office of Senator, or of Representative from a State which is entitled to only one Representative, the greater of—

(i) 2 cents multiplied by the voting age population of the State (as certified under subsection (e) of this section); or

(ii) $20,000; and

(B) in the case of a candidate for election to the office of Representative, Delegate, or Resident Commissioner in any other State, $10,000.

(e) Certification and publication of estimated voting age population

During the first week of January 1975, and every subsequent year, the Secretary of Commerce shall certify to the Commission and publish in the Federal Register an estimate of the voting age population of the United States, of each State, and of each congressional district as of the first day of July next preceding the date of certification. The term "voting age population" means resident population, 18 years of age or older.

(f) Prohibited contributions and expenditures

No candidate or political committee shall knowingly accept any contribution or make any expenditure in violation of the provisions of this section. No officer or employee of a political committee shall knowingly accept a contribution made for the benefit or use of a candidate, or knowingly make any expenditure on behalf of a candidate, in violation of any limitation imposed on contributions and expenditures under this section.

(g) Attribution of multi-state expenditures to candidate's expenditures limitation in each State

The Commission shall prescribe rules under which any expenditure by a candidate for presidential nominations for use in 2 or more States shall be attributed to such candidate's expenditure limitation in each such State, based on the voting age population in such State which can reasonably be expected to be influenced by such expenditure.

(h) Senatorial candidates

Notwithstanding any other provision of this Act, amounts totaling not more than $17,500 may be contributed to a candidate for nomination for election, or for election, to the United States Senate during the year in which an election is held in which he is such a candidate, by the Republican or Democratic Senatorial Campaign Committee, or the national committee of a political party, or any combination of such committees.

(Pub. L. 92-225, title III, § 320, as added Pub. L. 94-283, title I, § 112(2), May 11, 1976, 90 Stat. 486.)

REFERENCES IN TEXT

This Act, referred to in subsecs. (a)(5) and (h), means the Federal Election Campaign Act of 1971, Pub. L. 92-225. For classification of this Act in the Code, see Short Title note under section 431 of this title.

CODIFICATION

Another section 320 of Pub. L. 92-225 was classified to section 441 of this title and was repealed by Pub. L. 94-283, title I, § 112(1), May 11, 1976, 90 Stat. 486.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 438 of this title; title 26 sections 9004, 9008, 9034, 9035.

§ 441b. Contributions or expenditures by national banks, corporations, or labor organizations

(a) It is unlawful for any national bank, or any corporation organized by authority of any law of Congress, to make a contribution or expenditure in connection with any election to any political office, or in connection with any primary election or political convention or caucus held to select candidates for any political office, or for any corporation whatever, or any labor organization, to make a contribution or expenditure in connection with any election at which presidential and vice presidential electors or a Senator or Representative in, or a Delegate or Resident Commissioner to, Congress are to be voted for, or in connection with any primary election or political convention or caucus held to select candidates for any of the foregoing offices, or for any candidate, political committee, or other person knowingly to accept or receive any contribution prohibited by this section, or any officer or any director of any corporation or any national bank or any officer of any labor organization to consent to any contribution or expenditure by the corporation, national bank, or labor organization, as the case may be, prohibited by this section.

(b)(1) For the purposes of this section the term "labor organization" means any organization of any kind, or any agency or employee representation committee or plan, in which employees participate and which exists for the purpose, in whole or in part, of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours of employment, or conditions of work.

(2) For purposes of this section and section 79*l*(h) of title 15, the term "contribution or expenditure" shall include any direct or indirect payment, distribution, loan, advance, deposit, or gift of money, or any services, or anything of value (except a loan of money by a national or State bank made in accordance with the applicable banking laws and regulations and in the ordinary course of business) to any candidate, campaign committee, or political party or organization, in connection with any election to any of the offices referred to in this section, but shall not include (A) communications by a corporation to its stockholders and executive or administrative personnel and their families or by a labor organization to its members and their families on any subject; (B) nonpartisan registration and get-out-the-vote campaigns by a corporation aimed at its stockholders and executive or administrative personnel and their families, or by a labor organization aimed at its members and their families; and (C) the establishment, administration, and solicitation of contributions to a separate segregated fund to be utilized for political purposes by a corporation, labor organization, membership organization, cooperative, or corporation without capital stock.

(3) It shall be unlawful—

(A) for such a fund to make a contribution or expenditure by utilizing money or anything of value secured by physical force, job discrimination, financial reprisals, or the threat of force, job discrimination, or financial reprisal; or by dues, fees, or other moneys required as a condition of membership in a labor organization or as a condition of employment, or by moneys obtained in any commercial transaction;

(B) for any person soliciting an employee for a contribution to such a fund to fail to inform such employee of the political purposes of such fund at the time of such solicitation; and

(C) for any person soliciting an employee for a contribution to such a fund to fail to inform such employee, at the time of such solicitation, of his right to refuse to so contribute without any reprisal.

(4)(A) Except as provided in subparagraphs (B), (C), and (D), it shall be unlawful—

(i) for a corporation, or a separate segregated fund established by a corporation, to solicit contributions to such a fund from any person other than its stockholders and their families and its executive or administrative personnel and their families, and

(ii) for a labor organization, or a separate segregated fund established by a labor organization, to solicit contributions to such a fund from any person other than its members and their families.

(B) it shall not be unlawful under this section for a corporation, a labor organization, or a separate segregated fund established by such corporation or such labor organization, to make 2 written solicitations for contributions during the calendar year from any stockholder, executive or administrative personnel, or employee of a corporation or the families of such persons. A solicitation under this subparagraph may be made only by mail addressed to stockholders, executive or administrative personnel, or employees at their residence and shall be so designed that the corporation, labor organization, or separate segregated fund conducting such solicitation cannot determine who makes a contribution of $50 or less as a result of such solicitation and who does not make such a contribution.

(C) This paragraph shall not prevent a membership organization, cooperative, or corporation without capital stock, or a separate segregated fund established by a membership organization, cooperative, or corporation without capital stock, from soliciting contributions to such a fund from members of such organization, cooperative, or corporation without capital stock.

(D) This paragraph shall not prevent a trade association or a separate segregated fund established by a trade association from soliciting

contributions from the stockholders and executive or administrative personnel of the member corporations of such trade association and the families of such stockholders or personnel to the extent that such solicitation of such stockholders and personnel, and their families, has been separately and specifically approved by the member corporation involved, and such member corporation does not approve any such solicitation by more than one such trade association in any calendar year.

(5) Notwithstanding any other law, any method of soliciting voluntary contributions or of facilitating the making of voluntary contributions to a separate segregated fund established by a corporation, permitted by law to corporations with regard to stockholders and executive or administrative personnel, shall also be permitted to labor organizations with regard to their members.

(6) Any corporation, including its subsidiaries, branches, divisions, and affiliates, that utilizes a method of soliciting voluntary contributions or facilitating the making of voluntary contributions, shall make available such method, on written request and at a cost sufficient only to reimburse the corporation for the expenses incurred thereby, to a labor organization representing any members working for such corporation, its subsidiaries, branches, divisions, and affiliates.

(7) For purposes of this section, the term "executive or administrative personnel" means individuals employed by a corporation who are paid on a salary, rather than hourly, basis and who have policymaking, managerial, professional, or supervisory responsibilities.

(Pub. L. 92-225, title III, § 321, as added Pub. L. 94-283, title I, § 112(2), May 11, 1976, 90 Stat. 490.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 441c, 441j of this title.

§ 441c. Contributions by government contractors

(a) Prohibition

It shall be unlawful for any person—

(1) who enters into any contract with the United States or any department or agency thereof either for the rendition of personal services or furnishing any material, supplies, or equipment to the United States or any department or agency thereof or for selling any land or building to the United States or any department or agency thereof, if payment for the performance of such contract or payment for such material, supplies, equipment, land, or building is to be made in whole or in part from funds appropriated by the Congress, at any time between the commencement of negotiations for and the later of (A) the completion of performance under; or (B) the termination of negotiations for, such contract or furnishing of material, supplies, equipment, land, or buildings, directly or indirectly to make any contribution of money or other things of value, or to promise expressly or impliedly to make any such contribution to any political party, committee, or candidate for public office or to any person for any political purpose or use; or

(2) knowingly to solicit any such contribution from any such person for any such purpose during any such period.

(b) Separate segregated funds

This section does not prohibit or make unlawful the establishment or administration of, or the solicitation of contributions to, any separate segregated fund by any corporation, labor organization, membership organization, cooperative, or corporation without capital stock for the purpose of influencing the nomination for election, or election, of any person to Federal office, unless the provisions of section 441b of this title prohibit or make unlawful the establishment or administration of, or the solicitation of contributions to, such fund. Each specific prohibition, allowance, and duty applicable to a corporation, labor organization, or separate segregated fund under section 441b of this title applies to a corporation, labor organization, or separate segregated fund to which this subsection applies.

(c) "Labor organization" defined

For purposes of this section, the term "labor organization" has the meaning given it by section 441b(b)(1) of this title.

(Pub. L. 92-225, title III, § 322, as added Pub. L. 94-283, title I, § 112(2), May 11, 1976, 90 Stat. 492.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 441j of this title.

§ 441d. Publication or distribution of political statements

Whenever any person makes an expenditure for the purpose of financing communications expressly advocating the election or defeat of a clearly identified candidate through any broadcasting station, newspaper, magazine, outdoor advertising facility, direct mailing, or any other type of general public political advertising, such communication—

(1) if authorized by a candidate, his authorized political committees, or their agents, shall clearly and conspicuously, in accordance with regulations prescribed by the Commission, state that the communication has been authorized; or

(2) if not authorized by a candidate, his authorized political committees, or their agents, shall clearly and conspicuously, in accordance with regulations prescribed by the Commission, state that the communication is not authorized by any candidate, and state the name of the person who made or financed the expenditure for the communication, including, in the case of a political committee, the name of any affiliated or connected organization required to be disclosed under section 433(b)(2) of this title.

(Pub. L. 92-225, title III, § 323, as added Pub. L. 94-283, title I, § 112(2), May 11, 1976, 90 Stat. 493.)

§ 441e. Contributions by foreign nationals

(a) It shall be unlawful for a foreign national directly or through any other person to make any contribution of money or other thing of

value, or to promise expressly or impliedly to make any such contribution, in connection with an election to any political office or in connection with any primary election, convention, or caucus held to select candidates for any political office; or for any person to solicit, accept, or receive any such contribution from a foreign national.

(b) As used in this section, the term "foreign national" means—

(1) a foreign principal, as such term is defined by section 611(b) of title 22), except that the term "foreign national" shall not include any individual who is a citizen of the United States; or

(2) an individual who is not a citizen of the United States and who is not lawfully admitted for permanent residence, as defined by section 1101(a)(20) of title 8.

(Pub. L. 92-225, title III, § 324, as added Pub. L. 94-283, title I, § 112(2), May 11, 1976, 90 Stat. 493.)

§ 441f. Contributions in name of another prohibited

No person shall make a contribution in the name of another person or knowingly permit his name to be used to effect such a contribution, and no person shall knowingly accept a contribution made by one person in the name of another person.

(Pub. L. 92-225, title III, § 325, as added Pub. L. 94-283, title I, § 112(2), May 11, 1976, 90 Stat. 494.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 441j of this title.

§ 441g. Limitation on contribution of currency

No person shall make contributions of currency of the United States or currency of any foreign country to or for the benefit of any candidate which, in the aggregate, exceed $100, with respect to any campaign of such candidate for nomination for election, or for election, to Federal office.

(Pub. L. 92-225, title III, § 326, as added Pub. L. 94-283, title I, § 112(2), May 11, 1976, 90 Stat. 494.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 441j of this title.

§ 441h. Fraudulent misrepresentation of campaign authority

No person who is a candidate for Federal office or an employee or agent of such a candidate shall—

(1) fraudulently misrepresent himself or any committee or organization under his control as speaking or writing or otherwise acting for or on behalf of any other candidate or political party or employee or agent thereof on a matter which is damaging to such other candidate or political party or employee or agent thereof; or

(2) willfully and knowingly participate in or conspire to participate in any plan, scheme, or design to violate paragraph (1).

(Pub. L. 92-225, title III, § 327, as added Pub. L. 94-283, title I, § 112(2), May 11, 1976, 90 Stat. 494.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 441j of this title.

§ 441i. Acceptance of excessive honorariums

No person while an elected or appointed officer or employee of any branch of the Federal Government shall accept—

(1) any honorarium of more than $2,000 (excluding amounts accepted for actual travel and subsistence expenses for such person and his spouse or an aide to such person, and excluding amounts paid or incurred for any agents' fees or commissions) for any appearance, speech, or article; or

(2) honorariums (not prohibited by paragraph (1) of this section) aggregating more than $25,000 in any calendar year.

(Pub. L. 92-225, title III, § 328, as added Pub. L. 94-283, title I, § 112(2), May 11, 1976, 90 Stat. 494.)

§ 441j. Penalties

(a) Any person, following May 11, 1976, who knowingly and willfully commits a violation of any provision or provisions of this Act which involves the making, receiving, or reporting of any contribution or expenditure having a value in the aggregate of $1,000 or more during a calendar year shall be fined in an amount which does not exceed the greater of $25,000 or 300 percent of the amount of any contribution or expenditure involved in such violation, imprisoned for not more than 1 year, or both. In the case of a knowing and willful violation of section 441b(b)(3) of this title, including such a violation of the provisions of such section as applicable through section 441c(b) of this title, of section 441f of this title, or of section 441g of this title, the penalties set forth in this section shall apply to a violation involving an amount having a value in the aggregate of $250 or more during a calendar year. In the case of a knowing and willful violation of section 441h of this title, the penalties set forth in this section shall apply without regard to whether the making, receiving, or reporting of a contribution or expenditure of $1,000 or more is involved.

(b) A defendant in any criminal action brought for the violation of a provision of this Act, or of a provision of chapter 95 or chapter 96 of title 26, may introduce as evidence of his lack of knowledge of or intent to commit the offense for which the action was brought a conciliation agreement entered into between the defendant and the Commission under section 437g of this title which specifically deals with the act or failure to act constituting such offense and which is still in effect.

(c) In any criminal action brought for a violation of a provision of this Act, or of a provision of chapter 95 or chapter 96 of title 26, the court before which such action is brought shall take into account, in weighing the seriousness of the offense and in considering the appropriateness of the penalty to be imposed if the defendant is found guilty, whether—

(1) the specific act or failure to act which constitutes the offense for which the action was brought is the subject of a conciliation agreement entered into between the defendant and the Commission under section 437g of this title;

(2) the conciliation agreement is in effect; and

(3) the defendant is, with respect to the violation involved, in compliance with the conciliation agreement.

(Pub. L. 92-225, title III, § 329, as added Pub. L. 94-283, title I, § 112(2), May 11, 1976, 90 Stat. 494.)

REFERENCES IN TEXT

This Act, referred to in text, means the Federal Election Campaign Act of 1971, Pub. L. 92-225. For classification of this Act in the Code, see Short Title note under section 431 of this title.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 437g of this title.

§ 442. Authority to procure technical support and other services and incur travel expenses; payment of such expenses

For the purpose of carrying out his duties under the Federal Election Campaign Act of 1971, the Secretary of the Senate is authorized, from and after July 1, 1972, (1) to procure technical support services, (2) to procure the temporary or intermittent services of individual technicians, experts, or consultants, or organizations thereof, in the same manner and under the same conditions, to the extent applicable, as a standing committee of the Senate may procure such services under section 72a(i) of this title, (3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable basis the services of personnel of any such department or agency, and (4) to incur official travel expenses. Payments to carry out the provisions of this paragraph shall be made from funds included in the appropriation "Miscellaneous Items" under the heading "Contingent Expenses of the Senate" upon vouchers approved by the Secretary of the Senate. All sums received by the Secretary under authority of the Federal Election Campaign Act of 1971 shall be covered into the Treasury as miscellaneous receipts.

(Pub. L. 92-342, § 101, July 10, 1972, 86 Stat. 435.)

REFERENCES IN TEXT

The Federal Election Campaign Act of 1971, referred to in text, is Pub. L. 92-225. For classification of this Act in the Code, see Short Title note set out under section 431 of this title.

CODIFICATION

Section was enacted as part of Legislative Branch Appropriation Act, 1973, Pub. L. 92-342, and not as a part of Federal Election Campaign Act of 1971, which comprises this chapter.

SUBCHAPTER II—GENERAL PROVISIONS

§ 451. Extension of credit by regulated industries; regulations

The Civil Aeronautics Board the Federal Communications Commission, and the Interstate Commerce Commission shall each promulgate, within ninety days after February 7, 1972, its own regulations with respect to the extension of credit, without security, by any person regulated by such Board or Commission to any candidate for Federal office, or to any person on behalf of such a candidate, for goods furnished or services rendered in connection with the campaign of such candidate for nomination for election, or election, to such office.

(Pub. L. 92-225, title IV, § 401, Feb. 7, 1972, 86 Stat. 19; Pub. L. 93-443, title II, § 201(b)(1), Oct. 15, 1974, 88 Stat. 1275.)

AMENDMENTS

1974—Pub. L. 93-443 struck out "(as such term is defined in section 431(c) of this title)" following "Federal office".

EFFECTIVE DATE OF 1974 AMENDMENT

Amendment by Pub. L. 93-443 effective Jan. 1, 1975, see section 410(a) of Pub. L. 93-443, set out as a note under section 431 of this title.

§ 452. Prohibition against use of certain Federal funds for election activities

No part of any funds appropriated to carry out the Economic Opportunity Act of 1964 [42 U.S.C. 2701 et seq.] shall be used to finance, directly or indirectly, any activity designed to influence the outcome of any election to Federal office, or any voter registration activity, or to pay the salary of any officer or employee of the Community Services Administration who, in his official capacity as such an officer or employee, engages in any such activity.

(Pub. L. 92-225, title IV, § 402, Feb. 7, 1972, 86 Stat. 19; Pub. L. 93-443, title II, § 201(b)(2), Oct. 15, 1974, 88 Stat. 1275; Pub. L. 93-644, § 9(a), Jan. 4, 1975, 88 Stat. 2310.)

REFERENCES IN TEXT

The Economic Opportunity Act of 1964, referred to in the text, is Pub. L. 88-452, Aug. 20, 1964, 78 Stat. 508, which is classified generally to chapter 34 (§ 2701 et seq.) of Title 42, The Public Health and Welfare. For complete classification of the Act to the Code, see Short Title note set out under section 2701 of Title 42 and Tables volume.

AMENDMENTS

1974—Pub. L. 93-443 deleted reference to section 431 (a) and (c) of this title for definition of "election" and "Federal office".

CHANGE OF NAME

Pub. L. 93-644 amended the Economic Opportunity Act of 1964 to create the Community Services Administration as the successor authority to the Office of Economic Opportunity. For all references to the Office of Economic Opportunity or to the Director of the Office of Economic Opportunity in statutes, reorganization plans, executive orders, regulations, or other official documents or proceedings to be deemed, on or after Jan. 4, 1975, to refer to the Community Services Administration, or to the Director thereof, see section 2941 of Title 42, The Public Health and Welfare.

EFFECTIVE DATE OF 1974 AMENDMENT

Amendment by Pub. L. 93-443 effective Jan. 1, 1975, see section 410(a) of Pub. L. 93-443, set out as a note under section 431 of this title.

EFFECTIVE DATE

Section effective on Dec. 31, 1971, or 60 days after Feb. 7, 1972, whichever is later, see section 408 of Pub. L. 92-225, set out as a note under section 431 of this title.

§ 453. State laws affected

The provisions of this Act, and of rules prescribed under this Act, supersede and preempt any provision of State law with respect to election to Federal office.

(Pub. L. 92-225, title IV, § 403, Feb. 7, 1972, 86 Stat. 20; Pub. L. 93-443, title III, § 301, Oct. 15, 1974, 88 Stat. 1289.)

REFERENCES IN TEXT

This Act, referred to in text, means the Federal Election Campaign Act of 1971, Pub. L. 92-225. For classification of this Act in this Code, see Short Title note set out under section 431 of this title.

AMENDMENTS

1974—Pub. L. 93-443 substituted provision for Pub. L. 92-225 and rules thereunder to supersede and preempt any provision of State law with respect to election to Federal office for prior provisions which in former subsec. (a) stated that nothing in Pub. L. 92-225 shall be deemed to invalidate or make inapplicable any provision of State law, except where compliance with such provision would result in a violation of Pub. L. 92-225 and in former subsec. (b) stated that no provision of State law shall be construed to prohibit any person from taking any action authorized by Pub. L. 92-225 or from making any expenditure which he could lawfully make under Pub. L. 92-225.

EFFECTIVE DATE OF 1974 AMENDMENT

Amendment by Pub. L. 93-443 effective Oct. 15, 1974, see section 410(b) of Pub. L. 93-443, set out as a note under section 431 of this title.

EFFECTIVE DATE

Section effective on Dec. 31, 1971, or 60 days after Feb. 7, 1972, whichever is later, see section 408 of Pub. L. 92-225, set out as a note under section 431 of this title.

§ 454. Partial invalidity

If any provision of this Act, or the application thereof to any person or circumstance, is held invalid, the validity of the remainder of the Act and the application of such provision to other persons and circumstances shall not be affected thereby.

(Pub. L. 92-225, title IV, § 404, Feb. 7, 1972, 86 Stat. 20.)

REFERENCES IN TEXT

This Act, referred to in text, means the Federal Election Campaign Act of 1971, Pub. L. 92-225. For classification of this Act in this Code, see Short Title note set out under section 431 of this title.

EFFECTIVE DATE

Section effective on Dec. 31, 1971, or 60 days after Feb. 7, 1972, whichever is later, see section 408 of Pub. L. 92-225, set out as a note under section 431 of this title.

§ 455. Period of limitations

(a) No person shall be prosecuted, tried, or punished for any violation of subchapter I of this chapter, unless the indictment is found or the information is instituted within 3 years after the date of the violation.

(b) Notwithstanding any other provision of law—

(1) the period of limitations referred to in subsection (a) of this section shall apply with respect to violations referred to in such subsection committed before, on, or after the effective date of this section; and

(2) no criminal proceeding shall be instituted against any person for any act or omission which was a violation of any provision of subchapter I of this chapter, as in effect on December 31, 1974, if such act or omission does not constitute a violation of any such provision, as amended by the Federal Election Campaign Act Amendments of 1974.

Nothing in this subsection shall affect any proceeding pending in any court of the United States on the effective date of this section.

(Pub. L. 92-225, title IV, § 406 as added Pub. L. 93-443, title III, § 302, Oct. 15, 1974, 88 Stat. 1289, and amended Pub. L. 94-283, title I, § 115(f), May 11, 1976, 90 Stat. 496.)

REFERENCES IN TEXT

For classification in the Code of Federal Election Campaign Act Amendments of 1974, referred to in subsec. (b), see Short Title note under section 431 of this title.

AMENDMENTS

1976—Subsec. (a). Pub. L. 94-283, § 115(f)(1), struck out references to sections 608, 610, 611, 613, 614, 615, 616, and 617 of Title 18.

Subsec. (b)(2). Pub. L. 94-283, § 115(f)(2), struck out references to sections 608, 610, 611, and 613 of Title 18.

EFFECTIVE DATE

Section effective Jan. 1, 1975, see section 410(a) of Pub. L. 93-443, set out as a note under section 431 of this title.

§ 456. Repealed. Pub. L. 94-283, title I, § 111, May 11, 1976, 90 Stat. 486

Section, Pub. L. 92-225, title IV, § 407, as added Pub. L. 93-443, title III, § 302, Oct. 15, 1974, 88 Stat. 1290, gave the Commission additional enforcement authority by providing for disqualification of candidates for Federal office from elections for Federal office for a period of time following a finding by the Commission that the candidate failed to file a required report.

SAVINGS PROVISION

Repeal of this section by Pub. L. 94-283 not to release or extinguish any penalty, forfeiture, or liability incurred under this section or penalty, with this section or penalty to be treated as remaining in force for the purpose of sustaining any proper action or prosecution for the enforcement of any penalty, forfeiture, or liability, see section 114 of Pub. L. 94-283, set out as a note under former section 441 of this title.

CHAPTER 15—OFFICE OF TECHNOLOGY ASSESSMENT

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§ 471. Congressional findings and declaration of purpose

The Congress hereby finds and declares that:

(a) As technology continues to change and expand rapidly, its applications are—

(1) large and growing in scale; and

(2) increasingly extensive, pervasive, and critical in their impact, beneficial and adverse, on the natural and social environment.

(b) Therefore, it is essential that, to the fullest extent possible, the consequences of technological applications be anticipated, understood, and considered in determination of public policy on existing and emerging national problems.

(c) The Congress further finds that:

(1) the Federal agencies presently responsible directly to the Congress are not designed to provide the legislative branch with adequate and timely information, independently developed, relating to the potential impact of technological applications, and

(2) the present mechanisms of the Congress do not and are not designed to provide the legislative branch with such information.

(d) Accordingly, it is necessary for the Congress to—

(1) equip itself with new and effective means for securing competent, unbiased information concerning the physical, biological, economic, social, and political effects of such applications; and

(2) utilize this information, whenever appropriate, as one factor in the legislative assessment of matters pending before the Congress, particularly in those instances where the Federal Government may be called upon to consider support for, or management or regulation of, technological applications.

(Pub. L. 92-484, § 2, Oct. 13, 1972, 86 Stat. 797.)

Short Title

Section 1 of Pub. L. 92-484 provided: "That this Act [which enacted this chapter and amended section 1862

of Title 42, The Public Health and Welfare] may be cited as the 'Technology Assessment Act of 1972'."

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 472 of this title.

§ 472. Office of Technology Assessment

(a) Creation

In accordance with the findings and declaration of purpose in section 471 of this title, there is hereby created the Office of Technology Assessment (hereinafter referred to as the "Office") which shall be within and responsible to the legislative branch of the Government.

(b) Composition

The Office shall consist of a Technology Assessment Board (hereinafter referred to as the "Board") which shall formulate and promulgate the policies of the Office, and a Director who shall carry out such policies and administer the operations of the Office.

(c) Functions and duties

The basic function of the Office shall be to provide early indications of the probable beneficial and adverse impacts of the applications of technology and to develop other coordinate information which may assist the Congress. In carrying out such function, the Office shall:

(1) identify existing or probable impacts of technology or technological programs;

(2) where possible, ascertain cause-and-effect relationships;

(3) identify alternative technological methods of implementing specific programs;

(4) identify alternative programs for achieving requisite goals;

(5) make estimates and comparisons of the impacts of alternative methods and programs;

(6) present findings of completed analyses to the appropriate legislative authorities;

(7) identify areas where additional research or data collection is required to provide adequate support for the assessments and estimates described in paragraph (1) through (5) of this subsection; and

(8) undertake such additional associated activities as the appropriate authorities specified under subsection (d) of this section may direct.

(d) Initiation of assessment activities

Assessment activities undertaken by the Office may be initiated upon the request of:

(1) the chairman of any standing, special, or select committee of either House of the Congress, or of any joint committee of the Congress, acting for himself or at the request of the ranking minority member or a majority of the committee members;

(2) the Board; or

(3) the Director, in consultation with the Board.

(e) Availability of information

Assessments made by the Office, including information, surveys, studies, reports, and findings related thereto, shall be made available to the initiating committee or other appropriate committees of the Congress. In addition, any such information, surveys, studies, reports, and findings produced by the Office may be made available to the public except where—

(1) to do so would violate security statutes; or

(2) the Board considers it necessary or advisable to withhold such information in accordance with one or more of the numbered paragraphs in section 552(b) of title 5.

(Pub. L. 92-484, § 3, Oct. 13, 1972, 86 Stat. 797.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 476 of this title.

§ 473. Technology Assessment Board

(a) Membership

The Board shall consist of thirteen members as follows:

(1) six Members of the Senate, appointed by the President pro tempore of the Senate, three from the majority party and three from the minority party;

(2) six Members of the House of Representatives appointed by the Speaker of the House of Representatives, three from the majority party and three from the minority party; and

(3) the Director, who shall not be a voting member.

(b) Execution of functions during vacancies; filling of vacancies

Vacancies in the membership of the Board shall not affect the power of the remaining members to execute the functions of the Board and shall be filled in the same manner as in the case of the original appointment.

(c) Chairman and vice chairman, selection procedure

The Board shall select a chairman and a vice chairman from among its members at the beginning of each Congress. The vice chairman shall act in the place and stead of the chairman in the absence of the chairman. The chairmanship and the vice chairmanship shall alternate between the Senate and the House of Representatives with each Congress. The chairman during each even-numbered Congress shall be selected by the Members of the House of Representatives on the Board from among their number. The vice chairman during each Congress shall be chosen in the same manner from that House of Congress other than the House of Congress of which the chairman is a Member.

(d) Meetings; powers of Board

The Board is authorized to sit and act at such places and times during the sessions, recesses, and adjourned periods of Congress, and upon a vote of a majority of its members, to require by subpena or otherwise the attendance of such witnesses and the production of such books, papers, and documents, to administer such oaths and affirmations, to take such testimony, to procure such printing and binding, and to make such expenditures, as it deems advisable. The Board may make such rules respecting its organization and procedures as it deems necessary, except that no recommendation shall be reported from the Board unless a majority of the Board assent. Subpenas may be issued over the signature of the chairman of the Board or of any voting member designated by him or by the Board, and may be served by such person or persons as may be designated by such chairman

or member. The chairman of the Board or any voting member thereof may administer oaths or affirmations to witnesses.

(Pub. L. 92-484, § 4, Oct. 13, 1972, 86 Stat. 798).

§ 474. Director of Office of Technology Assessment

(a) Appointment; term; compensation

The Director of the Office of Technology Assessment shall be appointed by the Board and shall serve for a term of six years unless sooner removed by the Board. He shall receive basic pay at the rate provided for level III of the Executive Schedule under section 5314 of title 5.

(b) Powers and duties

In addition to the powers and duties vested in him by this chapter, the Director shall exercise such powers and duties as may be delegated to him by the Board.

(c) Deputy Director; appointment; functions; compensation

The Director may appoint with the approval of the Board, a Deputy Director who shall perform such functions as the Director may prescribe and who shall be Acting Director during the absence or incapacity of the Director or in the event of a vacancy in the office of Director. The Deputy Director shall receive basic pay at the rate provided for level IV of the Executive Schedule under section 5315 of title 5.

(d) Restrictions on outside employment activities of Director and Deputy Director

Neither the Director nor the Deputy Director shall engage in any other business, vocation, or employment than that of serving as such Director or Deputy Director, as the case may be; nor shall the Director or Deputy Director, except with the approval of the Board, hold any office in, or act in any capacity for, any organization, agency, or institution with which the Office makes any contract or other arrangement under this chapter.

(Pub. L. 92-484, § 5, Oct. 13, 1972, 86 Stat. 799.)

REFERENCES IN TEXT

"This chapter", referred to in subsecs. (b) and (d), was in the original "this Act", meaning Pub. L. 92-484, which enacted this chapter and amended section 1862 of Title 42, The Public Health and Welfare.

§ 475. Powers of Office of Technology Assessment

(a) Use of public and private personnel and organizations; formation of special ad hoc task forces; contracts with governmental, etc., agencies and instrumentalities; advance, progress, and other payments; utilization of services of voluntary and uncompensated personnel; acquisition, holding, and disposal of real and personal property; promulgation of rules and regulations

The Office shall have the authority, within the limits of available appropriations, to do all things necessary to carry out the provisions of this chapter, including, but without being limited to, the authority to—

(1) make full use of competent personnel and organizations outside the Office, public or private, and form special ad hoc task forces or make other arrangements when appropriate;

(2) enter into contracts or other arrangements as may be necessary for the conduct of the work of the Office with any agency or instrumentality of the United States, with any State, territory, or possession or any political subdivision thereof, or with any person, firm, association, corporation, or educational institution, with or without reimbursement, without performance or other bonds, and without regard to section 5 of title 41;

(3) make advance, progress, and other payments which relate to technology assessment without regard to the provisions of section 529 of title 31;

(4) accept and utilize the services of voluntary and uncompensated personnel necessary for the conduct of the work of the Office and provide transportation and subsistence as authorized by section 5703 of title 5, for persons serving without compensation;

(5) acquire by purchase, lease, loan, or gift, and hold and dispose of by sale, lease, or loan, real and personal property of all kinds necessary for or resulting from the exercise of authority granted by this chapter; and

(6) prescribe such rules and regulations as it deems necessary governing the operation and organization of the Office.

(b) Recordkeeping by contractors and other parties entering into contracts and other arrangements with Office; availability of books and records to Office and Comptroller General for audit and examination

Contractors and other parties entering into contracts and other arrangements under this section which involve costs to the Government shall maintain such books and related records as will facilitate an effective audit in such detail and in such manner as shall be prescribed by the Office, and such books and records (and related documents and papers) shall be available to the Office and the Comptroller General of the United States, or any of their duly authorized representatives, for the purpose of audit and examination.

(c) Operation of laboratories, pilot plants, or test facilities

The Office, in carrying out the provisions of this chapter, shall not, itself, operate any laboratories, pilot plants, or test facilities.

(d) Requests to executive departments or agencies for information, suggestions, estimates, statistics, and technical assistance; duty of executive departments and agencies to furnish information, etc.

The Office is authorized to secure directly from any executive department or agency information, suggestions, estimates, statistics, and technical assistance for the purpose of carrying out its functions under this chapter. Each such executive department or agency shall furnish the information, suggestions, estimates, statistics, and technical assistance directly to the Office upon its request.

(e) Requests to heads of executive departments or agencies for detail of personnel; reimbursement

On request of the Office, the head of any executive department or agency may detail, with or without reimbursement, any of its personnel to assist the Office in carrying out its functions under this chapter.

(f) Appointment and compensation of personnel

The Director shall, in accordance with such policies as the Board shall prescribe, appoint and fix the compensation of such personnel as may be necessary to carry out the provisions of this chapter.

(Pub. L. 92-484, § 6, Oct. 13, 1972, 86 Stat. 799.)

REFERENCES IN TEXT

"This chapter", referred to in text, was in the original "this Act", meaning Pub. L. 92-484, which enacted this chapter and amended section 1862 of Title 42, The Public Health and Welfare.

§ 476. Technology Assessment Advisory Council

(a) Establishment; composition

The Office shall establish a Technology Assessment Advisory Council (hereinafter referred to as the "Council"). The Council shall be composed of the following twelve members:

(1) ten members from the public, to be appointed by the Board, who shall be persons eminent in one or more fields of the physical, biological, or social sciences or engineering or experienced in the administration of technological activities, or who may be judged qualified on the basis of contributions made to educational or public activities;

(2) the Comptroller General; and

(3) the Director of the Congressional Research Service of the Library of Congress.

(b) Duties

The Council, upon request by the Board, shall—

(1) review and make recommendations to the Board on activities undertaken by the Office or on the initiation thereof in accordance with section 472(d) of this title;

(2) review and make recommendations to the Board on the findings of any assessment made by or for the Office; and

(3) undertake such additional related tasks as the Board may direct.

(c) Chairman and Vice Chairman; election by Council from members appointed from public; terms and conditions of service

The Council by majority vote, shall elect from its members appointed under subsection (a)(1) of this section a Chairman and a Vice Chairman, who shall serve for such time and under such conditions as the Council may prescribe. In the absence of the Chairman, or in the event of his incapacity, the Vice Chairman shall act as Chairman.

(d) Terms of office of members appointed from public; reappointment

The term of office of each member of the Council appointed under subsection (a)(1) of this section shall be four years except that any such member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term. No person shall be appointed a member of the Council under subsection (a)(1) of this section more than twice. Terms of the members appointed under subsection (a)(1) of this section shall be staggered so as to establish a rotating membership according to such method as the Board may devise.

(e) Payment to Comptroller General and Director of Congressional Research Service of travel and other necessary expenses; payment to members appointed from public of compensation and reimbursement for travel, subsistence, and other necessary expenses

(1) The members of the Council other than those appointed under subsection (a)(1) of this section shall receive no pay for their services as members of the Council, but shall be allowed necessary travel expenses (or, in the alternative, mileage for use of privately owned vehicles and a per diem in lieu of subsistence at not to exceed the rate prescribed in sections 5702 and 5704 of title 5), and other necessary expenses incurred by them in the performance of duties vested in the Council, without regard to the provisions of subchapter 1 of chapter 57 and section 5731 of title 5, and regulations promulgated thereunder.

(2) The members of the Council appointed under subsection (a)(1) of this section shall receive compensation for each day engaged in the actual performance of duties vested in the Council at rates of pay not in excess of the daily equivalent of the highest rate of basic pay set forth in the General Schedule of section 5332(a) of title 5, and in addition shall be reimbursed for travel, subsistence, and other necessary expenses in the manner provided for other members of the Council under paragraph (1) of this subsection.

(Pub. L. 92-484, § 7, Oct. 13, 1972, 86 Stat. 800.)

TERMINATION OF ADVISORY COUNCILS

Advisory Councils in existence on Jan. 5, 1973, to terminate not later than the expiration of the two-year period following Jan. 5, 1973, unless, in the case of a council established by the President or an officer of the Federal Government, such council is renewed by appropriate action prior to the expiration of such two-year period, or in the case of a council established by the Congress, its duration is otherwise provided by law, see sections 3(2) and 14 of Pub. L. 92-463, Oct. 6, 1972, 86 Stat. 770, set out in the Appendix to Title 5, Government Organization and Employees.

§ 477. Utilization of services of Library of Congress

(a) Authority of Librarian to make available services and assistance of Congressional Research Service

To carry out the objectives of this chapter, the Librarian of Congress is authorized to make available to the Office such services and assistance of the Congressional Research Service as may be appropriate and feasible.

(b) Scope of services and assistance

Such services and assistance made available to the Office shall include, but not be limited to, all of the services and assistance which the Congressional Research Service is otherwise authorized to provide to the Congress.

(c) Services or responsibilities performed by Congressional Research Service for Congress not altered or modified; authority of Librarian to establish within Congressional Research Service additional divisions, etc.

Nothing in this section shall alter or modify any services or responsibilities, other than those performed for the Office, which the Congressional Research Service under law performs for or on behalf of the Congress. The Librarian is, however, authorized to establish within the

Congressional Research Service such additional divisions, groups, or other organizational entities as may be necessary to carry out the purpose of this chapter.

(d) Reimbursement for services and assistance

Services and assistance made available to the Office by the Congressional Research Service in accordance with this section may be provided with or without reimbursement from funds of the Office, as agreed upon by the Board and the Librarian of Congress.

(Pub. L. 92-484, § 8, Oct. 13, 1972, 86 Stat. 801.)

REFERENCES IN TEXT

"This chapter", referred to in subsecs. (a) and (c), was in the original "this Act," meaning Pub. L. 92-484, which enacted this chapter and amended section 1862 of Title 42, The Public Health and Welfare.

§ 478. Utilization of services of General Accounting Offices

(a) Authority of General Accounting Office to furnish financial and administrative services

Financial and administrative services (including those related to budgeting, accounting, financial reporting, personnel, and procurement) and such other services as may be appropriate shall be provided the Office by the General Accounting Office.

(b) Scope of services and assistance

Such services and assistance to the Office shall include, but not be limited to, all of the services and assistance which the General Accounting Office is otherwise authorized to provide to the Congress.

(c) Services or responsibilities performed by General Accounting Office for Congress not altered or modified

Nothing in this section shall alter or modify any services or responsibilities, other than those performed for the Office, which the General Accounting Office under law performs for or on behalf of the Congress.

(d) Reimbursement for services and assistance

Services and assistance made available to the Office by the General Accounting Office in accordance with this section may be provided with or without reimbursement from funds of the Office, as agreed upon by the Board and the Comptroller General.

(Pub. L. 92-484, § 9, Oct. 13, 1972, 86 Stat. 802.)

§ 479. Coordination of activities with National Science Foundation

The Office shall maintain a continuing liaison with the National Science Foundation with respect to—

(1) grants and contracts formulated or activated by the Foundation which are for purposes of technology assessment; and

(2) the promotion of coordination in areas of technology assessment, and the avoidance of unnecessary duplication or overlapping of research activities in the development of technology assessment techniques and programs.

(Pub. L. 92-484, § 10(a), Oct. 13, 1972, 86 Stat. 802.)

§ 480. Annual report to Congress

The Office shall submit to the Congress an annual report which shall include, but not be limited to, an evaluation of technology assessment technique and identification, insofar as may be feasible, of technological areas and programs requiring future analysis. Such report shall be submitted not later than March 15 of each year.

(Pub. L. 92-484, § 11, Oct. 13, 1972, 86 Stat. 802.)

§ 481. Authorization of appropriations; availability of appropriations

(a) To enable the Office to carry out its powers and duties, there is hereby authorized to be appropriated to the Office, out of any money in the Treasury not otherwise appropriated, not to exceed $5,000,000 in the aggregate for the two fiscal years ending June 30, 1973, and June 30, 1974, and thereafter such sums as may be necessary.

(b) Appropriations made pursuant to the authority provided in subsection (a) of this section shall remain available for obligation, for expenditure, or for obligation and expenditure for such period or periods as may be specified in the Act making such appropriations.

(Pub. L. 92-484, § 12, Oct. 13, 1972, 86 Stat. 803.)

CHAPTER 16—CONGRESSIONAL MAILING STANDARDS

Sec.

501. House Commission on Congressional Mailing Standards.
(a) Establishment; designation.
(b) Membership; political party representation; Chairman; vacancies; quorum.
(c) Assistance and use of personnel, including chief counsel, of Committee on Post Office and Civil Service of the House.
(d) Advisory opinions or consultations respecting franked mail for persons entitled to franking privilege; franking privilege regulations.
(e) Complaint of franked mail violations; investigation; notice and hearing; conclusiveness of findings; decision of Commission; judicial review; reference of certain violations to Committee on Standards of Official Conduct of the House for appropriate action and enforcement; administrative procedure regulations.
(f) Procedural considerations; sessions, place and time; subpenas, issuance and service; oaths and affirmations; testimony; printing and binding; expenditures; organizational and procedural regulations; majority assent.
(g) Property of Commission; records; voting record; location of records, data, and files.
502. Select Committee on Standards and Conduct of the Senate.
(a) Advisory opinions or consultations respecting franked mail for persons entitled to franking privilege; franking privilege regulations.

Sec.

(b) Complaint of franked mail violations; investigation; notice and hearing; decision of select committee; enforcement.
(c) Administrative or judicial jurisdiction of civil actions respecting franking law violations or abuses of franking privilege dependent on filing of complaint with select committee and rendition of decision by such committee.
(d) Administrative procedure regulations.
(e) Property of Senate; records of select committee; voting record; location of records, data, and files.

§ 501. House Commission on Congressional Mailing Standards

(a) Establishment; designation

There is established a special commission of the House of Representatives, designated the "House Commission on Congressional Mailing Standards" (herein referred to as the "Commission").

(b) Membership; political party representation; Chairman; vacancies; quorum

The Commission shall be composed of six Members appointed by the Speaker of the House, three from the majority political party, and three from the minority political party, in the House. The Speaker shall designate as Chairman of the Commission, from among the members of the Committee on Post Office and Civil Service of the House, one of the Members appointed to the Commission. A vacancy in the membership of the Commission shall be filled in the same manner as the original appointment. Four members of the Commission shall constitute a quorum to do business.

(c) Assistance and use of personnel, including chief counsel, of Committee on Post Office and Civil Service of the House

In performing its duties and functions, the Commission may use such personnel, office space, equipment, and facilities of, and obtain such other assistance from, the Committee on Post Office and Civil Service of the House, as such committee shall make available to the Commission. Such personnel and assistance shall include, in all cases, the services and assistance of the chief counsel or other head of the professional staff (by whatever title designated) of such committee. All assistance so furnished to the Commission by the Committee on Post Office and Civil Service shall be sufficient to enable the Commission to perform its duties and functions efficiently and effectively.

(d) Advisory opinions or consultations respecting franked mail for persons entitled to franking privilege; franking privilege regulations

The Commission shall provide guidance, assistance, advice, and counsel, through advisory opinions or consultations, in connection with the mailing or contemplated mailing of franked mail under section 3210, 3211, 3212, 3213(2), 3218, or 3219, and in connection with the operation of section 3215, of title 39, upon the request of any Member of the House or Member-elect, Resident Commissioner or Resident Commissioner-elect, Delegate or Delegate-elect, surviving spouse of any of the foregoing, or other House official, entitled to send mail as franked mail under any of those sections. The Commission shall prescribe regulations governing the proper use of the franking privilege under those sections by such persons.

(e) Complaint of franked mail violations; investigation; notice and hearing; conclusiveness of findings; decision of Commission; judicial review; reference of certain violations to Committee on Standards of Official Conduct of the House for appropriate action and enforcement; administrative procedure regulations

Any complaint by any person that a violation of any section of title 39 referred to in subsection (d) of this section is about to occur, or has occurred within the immediately preceding period of one year, by any person referred to in such subsection (d), shall contain pertinent factual material and shall conform to regulations prescribed by the Commission. The Commission, if it determines there is reasonable justification for the complaint, shall conduct an investigation of the matter, including an investigation of reports and statements filed by the complainant with respect to the matter which is the subject of the complaint. The Commission shall afford to the person who is the subject of the complaint due notice and, if it determines that there is substantial reason to believe that such violation has occurred or is about to occur, opportunity for all parties to participate in a hearing before the Commission. The Commission shall issue a written decision on each complaint under this subsection not later than thirty days after such a complaint has been filed or, if a hearing is held, not later than thirty days after the conclusion of such hearing. Such decision shall be based on written findings of fact in the case by the Commission. Such findings of fact by the Commission on which its decision is based are binding and conclusive for all judicial and administrative purposes, including purposes of any judicial challenge or review. Any judicial review of such decision, if ordered on any ground, shall be limited to matters of law. If the Commission finds in its written decision, that a serious and willful violation has occurred or is about to occur, it may refer such decision to the Committee on Standards of Official Conduct of the House of Representatives for appropriate action and enforcement by the committee concerned in accordance with applicable rules and precedents of the House and such other standards as may be prescribed by such committee. Notwithstanding any other provision of law, no court or administrative body in the United States or in any territory thereof shall have jurisdiction to entertain any civil action of any character concerning or related to a violation of the franking laws or an abuse of the franking privilege by any person listed under subsection (d) of this section as entitled to send mail as franked mail, except judicial review of the decisions of the Commission under this subsection. The Commission shall prescribe regulations for the holding of the investigations and hearings, the conduct of proceedings, and the rendering of decisions under this subsection providing for equitable procedures and the protection of individ-

ual, public, and Government interests. The regulations shall, insofar as practicable, contain the substance of the administrative procedure provisions of sections 551 to 559, and 701 to 706 of title 5. These regulations shall govern matters under this subsection subject to judicial review thereof.

(f) Procedural considerations; sessions, place and time; subpenas, issuance and service; oaths and affirmations; testimony; printing and binding; expenditures; organizational and procedural regulations; majority assent

The Commission may sit and act at such places and times during the sessions, recesses, and adjourned periods of Congress, require by subpena or otherwise the attendance of such witnesses and the production of such books, papers, and documents, administer such oaths and affirmations, take such testimony, procure such printing and binding, and make such expenditures, as the Commission considers advisable. The Commission may make such rules respecting its organization and procedures as it considers necessary, except that no action shall be taken by the Commission unless a majority of the Commission assent. Subpenas may be issued over the signature of the Chairman of the Commission or of any member designated by him or by the Commission, and may be served by such person or persons as may be designated by such Chairman or member. The Chairman of the Commission or any member thereof may administer oaths or affirmations to witnesses.

(g) Property of Commission; records; voting record; location of records, data, and files

The Commission shall keep a complete record of all its actions, including a record of the votes on any question on which a record vote is demanded. All records, data, and files of the Commission shall be the property of the Commission and shall be kept in the offices of the Commission or such other places as the Commission may direct.

(Pub. L. 93-191, § 5, Dec. 18, 1973, 87 Stat. 742; Pub. L. 93-255, § 3(a), Mar. 27, 1974, 88 Stat. 52.)

AMENDMENTS

1974—Subsec. (d). Pub. L. 93-255 inserted reference to section 3219 of Title 39.

EFFECTIVE DATE

Section effective Dec. 18, 1973, see section 14 of Pub. L. 93-191, set out as a note under section 3210 of Title 39, Postal Service.

§ 502. Select Committee on Standards and Conduct of the Senate

(a) Advisory opinions or consultations respecting franked mail for persons entitled to franking privilege; franking privilege regulations

The Select Committee on Standards and Conduct of the Senate shall provide guidance, assistance, advice and counsel, through advisory opinions or consultations, in connection with the mailing or contemplated mailing of franked mail under section 3210, 3211, 3212, 3213(2), 3218, or 3219, and in connection with the operation of section 3215, of title 39, upon the request of any Member of the Senate or Member-elect, surviving spouse of any of the foregoing, or other Senate official, entitled to send mail as franked mail under any of those sections. The select committee shall prescribe regulations governing the proper use of the franking privilege under those sections by such persons.

(b) Complaint of franked mail violations; investigation; notice and hearing; decision of select committee; enforcement

Any complaint filed by any person with the select committee that a violation of any section of title 39 referred to in subsection (a) of this section is about to occur or has occurred within the immediately preceding period of one year, by any person referred to in such subsection (a), shall contain pertinent factual material and shall conform to regulations prescribed by the select committee. The select committee, if it determines there is reasonable justification for the complaint, shall conduct an investigation of the matter, including an investigation of reports and statements filed by the complainant with respect to the matter which is the subject of the complaint. The committee shall afford to the person who is the subject of the complaint due notice and, if it determines that there is substantial reason to believe that such violation has occurred or is about to occur, opportunity for all parties to participate in a hearing before the select committee. The select committee shall issue a written decision on each complaint under this subsection not later than thirty days after such a complaint has been filed or, if a hearing is held, not later than thirty days after the conclusion of such hearing. Such decision shall be based on written findings of fact in the case by the select committee. If the select committee finds, in its written decision, that a violation has occurred or is about to occur, the committee may take such action and enforcement as it considers appropriate in accordance with applicable rules, precedents, and standing orders of the Senate, and such other standards as may be prescribed by such committee.

(c) Administrative or judicial jurisdiction of civil actions respecting franking law violations or abuses of franking privilege dependent on filing of complaint with select committee and rendition of decision by such committee

Notwithstanding any other provision of law, no court or administrative body in the United States or in any territory thereof shall have jurisdiction to entertain any civil action of any character concerning or related to a violation of the franking laws or an abuse of the franking privilege by any person listed under subsection (a) of this section as entitled to send mail as franked mail, until a complaint has been filed with the select committee and the committee has rendered a decision under subsection (b) of this section.

(d) Administrative procedure regulations

The select committee shall prescribe regulations for the holding of investigations and hearings, the conduct of proceedings, and the rendering of decisions under this subsection providing for equitable procedures and the protection of individual, public, and Government interests. The regulations shall, insofar as practicable, contain the substance of the administrative procedure provisions of sections 551 to 559

and 701 to 706, of title 5. These regulations shall govern matters under this subsection subject to judicial review thereof.

(e) Property of Senate; records of select committee; voting record; location of records, data, and files

The select committee shall keep a complete record of all its actions, including a record of the votes on any question on which a record vote is demanded. All records, data, and files of the select committee shall be the property of the Senate and shall be kept in the offices of the select committee or such other places as the committee may direct.

(Pub. L. 93-191, § 6, Dec. 18, 1973, 87 Stat. 744; Pub. L. 93-255, § 3(b), Mar. 27, 1974, 88 Stat. 52.)

AMENDMENTS

1974—Subsec. (a). Pub. L. 93-255 inserted reference to section 3219 of Title 39.

EFFECTIVE DATE

Section effective Dec. 18, 1973, see section 14 of Pub. L. 93-191, set out as a note under section 3210 of Title 39, Postal Service.

CHAPTER 17—CONGRESSIONAL BUDGET OFFICE

Sec.
601. Establishment.
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(e) Relationship to other agencies of Congress.
(f) Authorization of appropriations.
602. Duties and functions.
(a) Assistance to budget committees.
(b) Assistance to Committees on Appropriations, Ways and Means, and Finance.
(c) Assistance to other committees and members.
(d) Assignment of office personnel to committees and joint committees.
(e) Transfer of functions of Joint Committee on Reduction of Federal Expenditures.
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603. Public access to budget data.
(a) Right to copy.
(b) Index.
(c) Exceptions.
(d) Information obtained for committees and members.
604. Contractual authority.

CHAPTER REFERRED TO IN OTHER SECTIONS

This chapter is referred to in title 31 section 1302.

§ 601. Establishment

(a) In general

(1) There is established an office of the Congress to be known as the Congressional Budget Office (hereinafter in this chapter referred to as the "Office"). The Office shall be headed by a Director; and there shall be a Deputy Director who shall perform such duties as may be assigned to him by the Director and, during the absence or incapacity of the Director or during a vacancy in that office, shall act as Director.

(2) The Director shall be appointed by the Speaker of the House of Representatives and the President pro tempore of the Senate after considering recommendations received from the Committees on the Budget of the House and the Senate, without regard to political affiliation and solely on the basis of his fitness to perform his duties. The Deputy Director shall be appointed by the Director.

(3) The term of office of the Director first appointed shall expire at noon on January 3, 1979, and the terms of office of Directors subsequently appointed shall expire at noon on January 3 of each fourth year thereafter. Any individual appointed as Director to fill a vacancy prior to the expiration of a term shall serve only for the unexpired portion of that term. An individual serving as Director at the expiration of a term may continue to serve until his successor is appointed. Any Deputy Director shall serve until the expiration of the term of office of the Director who appointed him (and until his successor is appointed), unless sooner removed by the Director.

(4) The Director may be removed by either House by resolution.

(5) The Director shall receive compensation at a per annum gross rate equal to the rate of basic pay, as in effect from time to time, for level III of the Executive Schedule in section 5314 of title 5. The Deputy Director shall receive compensation at a per annum gross rate equal to the rate of basic pay, as so in effect, for level IV of the Executive Schedule in section 5315 of such title.

(b) Personnel

The Director shall appoint and fix the compensation of such personnel as may be necessary to carry out the duties and functions of the Office. All personnel of the Office shall be appointed without regard to political affiliation and solely on the basis of their fitness to perform their duties. The Director may prescribe the duties and responsibilities of the personnel of the Office, and delegate to them authority to perform any of the duties, powers, and functions imposed on the Office or on the Director. For purposes of pay (other than pay of the Director and Deputy Director) and employment benefits, rights, and privileges, all personnel of the Office shall be treated as if they were employees of the House of Representatives.

(c) Experts and consultants

In carrying out the duties and functions of the Office, the Director may procure the temporary (not to exceed one year) or intermittent services of experts or consultants or organizations thereof by contract as independent contractors, or, in the case of individual experts or consultants, by employment at rates of pay not in excess of the daily equivalent of the highest rate of basic pay payable under the General Schedule of section 5332 of title 5.

(d) Relationship to executive branch

The Director is authorized to secure information, data, estimates, and statistics directly from the various departments, agencies, and establishments of the executive branch of Government and the regulatory agencies and commissions of the Government. All such departments, agencies, establishments, and regulatory

agencies and commissions shall furnish the Director any available material which he determines to be necessary in the performance of his duties and functions (other than material the disclosure of which would be a violation of law). The Director is also authorized, upon agreement with the head of any such department, agency, establishment, or regulatory agency or commission, to utilize its services, facilities, and personnel with or without reimbursement; and the head of each such department, agency, establishment, or regulatory agency or commission is authorized to provide the Office such services, facilities, and personnel.

(e) Relationship to other agencies of Congress

In carrying out the duties and functions of the Office, and for the purpose of coordinating the operations of the Office with those of other congressional agencies with a view to utilizing most effectively the information, services, and capabilities of all such agencies in carrying out the various responsibilities assigned to each, the Director is authorized to obtain information, data, estimates, and statistics developed by the General Accounting Office, the Library of Congress, and the Office of Technology Assessment, and (upon agreement with them) to utilize their services, facilities, and personnel with or without reimbursement. The Comptroller General, the Librarian of Congress, and the Technology Assessment Board, are authorized to provide the Office with the information, data, estimates, and statistics, and the services, facilities, and personnel, referred to in the preceding sentence.

(f) Authorization of appropriations

There are authorized to be appropriated to the Office for each fiscal year such sums as may be necessary to enable it to carry out its duties and functions. Until sums are first appropriated pursuant to the preceding sentence, but for a period not exceeding 12 months following the effective date of this subsection, the expenses of the Office shall be paid from the contingent fund of the Senate, in accordance with section 68 of this title, and upon vouchers approved by the Director.

(Pub. L. 93-344, title II, § 201, July 12, 1974, 88 Stat. 302.)

EFFECTIVE DATE

Subsec. (a) effective July 12, 1974, see section 905(a) of Pub. L. 93-344, set out as a note under section 1301 of Title 31, Money and Finance.

Subsecs. (b) to (f) effective on the day on which the first Director of the Congressional Budget Office is appointed under subsec. (a), see section 905(b) of Pub. L. 93-344, set out as a note under 1301 of Title 31.

SHORT TITLE

Pub. L. 93-344, which enacted this chapter, to be cited in its entirety as the "Congressional Budget and Impoundment Control Act of 1974", with titles I through IX thereof to be cited as the "Congressional Budget Act of 1974", see section 1(a) of Pub. L. 93-344, set out as a note under section 1301 of Title 31, Money and Finance.

JOINT COMMITTEE ON ATOMIC ENERGY

Members of the House of Representatives and of the Senate who are members of the Joint Committee on Atomic Energy to be treated as standing committees of the House of Representatives and of the Senate, respectively, for purposes of this chapter, see section 1302 of Title 31, Money and Finance.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 603 of this title.

§ 602. Duties and functions

(a) Assistance to budget committees

It shall be the duty and function of the Office to provide to the Committees on the Budget of both Houses information which will assist such committees in the discharge of all matters within their jurisdictions, including (1) information with respect to the budget, appropriation bills, and other bills authorizing or providing budget authority or tax expenditures, (2) information with respect to revenues, receipts, estimated future revenues and receipts, and changing revenue conditions, and (3) such related information as such Committee may request.

(b) Assistance to Committees on Appropriations, Ways and Means, and Finance

At the request of the Committee on Appropriations of either House, the Committee on Ways and Means of the House of Representatives, or the Committee on Finance of the Senate, the Office shall provide to such Committee any information which will assist it in the discharge of matters within its jurisdiction, including information described in clauses (1) and (2) of subsection (a) of this section and such related information as the Committee may request.

(c) Assistance to other committees and members

(1) At the request of any other committee of the House of Representatives or the Senate or any joint committee of the Congress, the Office shall provide to such committee or joint committee any information compiled in carrying out clauses (1) and (2) of subsection (a) of this section, and, to the extent practicable, such additional information related to the foregoing as may be requested.

(2) At the request of any Member of the House or Senate, the Office shall provide to such Member any information compiled in carrying out clauses (1) and (2) of subsection (a) of this section, and, to the extent available, such additional information related to the foregoing as may be requested.

(d) Assignment of office personnel to committees and joint committees

At the request of the Committee on the Budget of either House, personnel of the Office shall be assigned, on a temporary basis, to assist such committee. At the request of any other committee of either House or any joint committee of the Congress, personnel of the Office may be assigned, on a temporary basis, to assist such committee or joint committee with respect to matters directly related to the applicable provisions of subsection (b) or (c) of this section.

(e) Transfer of functions of Joint Committee on Reduction of Federal Expenditures

The duties, functions, and personnel of the Joint Committee on Reduction of Federal Expenditures are transferred to the Office, and the Joint Committee is abolished.

(f) Reports to budget committees

(1) On or before April 1 of each year, the Director shall submit to the Committees on the Budget of the House of Representatives and the Senate a report, for the fiscal year commencing on October 1 of that year, with respect to fiscal policy, including (A) alternative levels of total revenues, total new budget authority, and total outlays (including related surpluses and deficits), and (B) the levels of tax expenditures under existing law, taking into account projected economic factors and any changes in such levels based on proposals in the budget submitted by the President for such fiscal year. Such report shall also include a discussion of national budget priorities, including alternative ways of allocating budget authority and budget outlays for such fiscal year among major programs or functional categories, taking into account how such alternative allocations will meet major national needs and affect balanced growth and development of the United States.

(2) The Director shall from time to time submit to the Committees on the Budget of the House of Representatives and the Senate such further reports (including reports revising the report required by paragraph (1)) as may be necessary or appropriate to provide such Committees with information, data, and analyses for the performance of their duties and functions.

(g) Use of computers and other techniques

The Director may equip the Office with up-to-date computer capability (upon approval of the Committee on House Administration of the House of Representatives and the Committee on Rules and Administration of the Senate), obtain the services of experts and consultants in computer technology, and develop techniques for the evaluation of budgetary requirements.

(Pub. L. 93-344, title II, § 202(a)-(e)(1), (f), (g), July 12, 1974, 88 Stat. 304, 305.)

CODIFICATION

Subsec. (e) (2) of section 202 of Pub. L. 93-344 repealed section 571 of Title 31, Money and Finance.

EFFECTIVE DATE

Section effective on the day on which the first Director of the Congressional Budget Office is appointed under section 601(a) of this title, see section 905(b) of Pub. L. 93-344, set out as a note under section 1301 of Title 31, Money and Finance.

§ 603. Public access to budget data

(a) Right to copy

Except as provided in subsections (c) and (d) of this section, the Director shall make all information, data, estimates, and statistics obtained under section 601(d) and (e) of this title available for public copying during normal business hours, subject to reasonable rules and regulations, and shall to the extent practicable, at the request of any person, furnish a copy of any such information, data, estimates, or statistics upon payment by such person of the cost of making and furnishing such copy.

(b) Index

The Director shall develop and maintain filing, coding, and indexing systems that identify the information, data, estimates, and statistics to which subsection (a) of this section applies and shall make such systems available for public use during normal business hours.

(c) Exceptions

Subsection (a) of this section shall not apply to information, data, estimates, and statistics—

(1) which are specifically exempted from disclosure by law; or

(2) which the Director determines will disclose—

(A) matters necessary to be kept secret in the interests of national defense or the confidential conduct of the foreign relations of the United States;

(B) information relating to trade secrets or financial or commercial information pertaining specifically to a given person if the information has been obtained by the Government on a confidential basis, other than through an application by such person for a specific financial or other benefit, and is required to be kept secret in order to prevent undue injury to the competitive position of such person; or

(C) personnel or medical data or similar data the disclosure of which would constitute a clearly unwarranted invasion of personal privacy;

unless the portions containing such matters, information, or data have been excised.

(d) Information obtained for committees and members

Subsection (a) of this section shall apply to any information, data, estimates, and statistics obtained at the request of any committee, joint committee, or Member unless such committee, joint committee, or Member has instructed the Director not to make such information, data, estimates, or statistics available for public copying.

(Pub. L. 93-344, title II, § 203, July 12, 1974, 88 Stat. 305.)

EFFECTIVE DATE

Section effective on the day on which the first Director of the Congressional Budget Office is appointed under section 601(a) of this title, see section 905(b) of Pub. L. 93-344, set out as a note under section 1301 of Title 31, Money and Finance.

§ 604. Contractual authority

The Congressional Budget Office shall have the authority to contract without regard to section 5 of Title 41.

(Pub. L. 94-440, title V, § 500, Oct. 1, 1976, 90 Stat. 1452.)

CODIFICATION

Section was enacted as a part of the Legislative Branch Appropriation Act, 1977, and not as a part of Title II of the Congressional Budget and Impoundment Control Act of 1974, which is classified to this chapter.

SIMILAR PROVISIONS

Section is from the Legislative Branch Appropriation Act, 1977, Pub. L. 94-440. Similar provisions were contained in Pub. L. 94-157, title I, ch. IV, Dec. 18, 1975, 89 Stat. 834.